

FEDERAL REGISTER

VOLUME 16 1934 NUMBER 56

Washington, Thursday, March 22, 1951

TITLE 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service, Department of Justice

Subchapter B—Immigration Regulations

PART 110—PRIMARY INSPECTION AND DETENTION

DESIGNATION OF LOS EBANOS, TEXAS, AS CLASS A PORT OF ENTRY FOR ALIENS

JANUARY 30, 1951.

Effective as of December 1, 1950, § 110.1, *Designated ports of entry except by aircraft*, of Chapter I, Title 8 of the Code of Federal Regulations, is amended by inserting "Los Ebanos, Tex." between "Laredo, Tex." and "Port Arthur, Tex." in the list of Class A ports of entry under District No. 14—San Antonio, Texas.

Compliance with the provisions of section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U. S. C. 1003) as to notice of proposed rule making and delayed effective date is unnecessary because the rule prescribed by the order relieves restrictions and is clearly advantageous to persons affected thereby.

(Sec. 23, 39 Stat. 892, sec. 24, 43 Stat. 166, sec. 37, 54 Stat. 675; 8 U. S. C. 102, 222, 458)

A. R. MACKAY,
Acting Commissioner,
Immigration and Naturalization.

Approved: March 16, 1951.

PHILIP B. PERLMAN,
Acting Attorney General.

[F. R. Doc. 51-3600; Filed, Mar. 21, 1951;
8:54 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket 4808]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

GLOBE CARDBOARD NOVELTY CO., INC., ET AL.

Subpart—*Using or selling lottery devices*: § 3.2475 *Devices for lottery selling*.

Selling or distributing in commerce, push cards, punch boards, or other lottery devices which are to be used, or may be used, in the sale or distribution of merchandise to the public by means of a game of chance, gift enterprise, or lottery scheme; prohibited.

(Sec. 6, 38 Stat. 722; 15 U. S. C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U. S. C. 45) [Cease and desist order, Globe Cardboard Novelty Co., Inc., et al., Docket 4808, Dec. 29, 1950]

In the Matter of Globe Cardboard Novelty Co., Inc., a Corporation; Morris Aron, Individually and as an Officer of Globe Cardboard Novelty Co., Inc., and as a Copartner in a Firm Trading as Globe Printing Co.; and Louis Broudo, Individually and as an Officer of Globe Cardboard Novelty Co., Inc., and as a Copartner in a Firm Trading as Globe Printing Co.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, substitute answer thereto, in which answer the respondents admitted all of the material allegations of fact set forth in the complaint, and briefs and oral argument of counsel, and the Commission having made its findings as to the facts and its conclusion that the respondents have violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondent Globe Cardboard Novelty Co., Inc., a corporation, its officers, agents, representatives, and employees, and the respondents Morris Aron and Louis Broudo, individually and as officers of respondent corporation and as copartners trading as Globe Printing Co. or trading under any other name, their agents, representatives, and employees, directly or through any corporate or other device, do forthwith cease and desist from: Selling or distributing in commerce, as "commerce" is defined in the Federal Trade Commission Act, push cards, punchboards, or other lottery devices which are to be used, or may be used, in the sale or distribution of merchandise to the public by means of a game of chance, gift enterprise, or lottery scheme.

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It is further ordered. That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report, in writing, setting forth in detail the manner and form in which they have complied with this order.

Issued: December 29, 1950.

By the Commission.

NOTE: Commissioner Mason concurring in the findings as to the facts and conclusion, but not concurring in the form of order to cease and desist, for the reasons stated in his opinion concurring in part and dissenting in part in Docket 5203—Worthmore Sales Company.

[SEAL]

D. C. DANIEL,
Secretary.

[F. R. Doc. 51-3603; Filed, Mar. 21, 1951;
8:54 a. m.]

TITLE 32—NATIONAL DEFENSE**Chapter V—Department of the Army****Subchapter E—Organized Reserves****PART 561—OFFICER'S RESERVE CORPS****APPOINTMENT IN ARMY MEDICAL SERVICE SECTIONS**

In § 561.18, paragraphs (a) (3) and (e) (9) are amended, and a new paragraph (e) (12) added, as follows:

§ 561.18 *Appointment in Army Medical Service Sections*—(a) General. * * *

(3) *Eligibility requirements.* Applicants for appointment under this section must meet the following requirements and the requirements outlined in §§ 561.2 through 561.10, except that applicants for the Army Nurse Corps and Women's Medical Specialist Corps Sections are exempt from the provisions of § 561.8 (d), which requires each applicant to have obtained a score of 110 or higher in the Army General Classification Test (AGCT), the General Classification Test (GCT), or Aptitude Area I, or have evidence of satisfactory completion of 120 credit hours at an accredited college or university.

* * * (e) *Medical Service Corps.* * * *

(9) *Psychiatric social worker.* (i) For appointment in the grade of second lieutenant in the Medical Service Corps section as a psychiatric social worker,

applicants must possess a master's degree in social work from a school or university acceptable to the Department of the Army.

(ii) For appointment in grades of first lieutenant through colonel for service in the Medical Service Corps section as a psychiatric social worker, applicants must meet the requirement for second lieutenant, and must have had additional qualifying education and/or experience to meet the criteria for the respective grade specified in paragraph (a) (1) (ii) (d) of this section.

Appointment in grades of major and above will not be made except in cases of highly qualified men of recognized ability, such as individuals with professorial rank, those having outstanding professional consultative status, or those having had exceptional supervisory experience.

* * * * * (12) *Pharmacy specialists.* (i) For appointment in the grade of second lieutenant in the Medical Service Corps section as a pharmacist, applicant must be a graduate of a school of pharmacy giving a full 4-year course acceptable to the Department of the Army and meet the following requirements:

(a) Be currently licensed to practice pharmacy in a State, Territory, or in the District of Columbia.

(b) Be actually engaged in the ethical practice of pharmacy, except that waiver of license and actual engagement in practice may be made for graduates of schools of pharmacy, acceptable to the Department of the Army, if commissioned at time of graduation.

(ii) For appointment in the grades of first lieutenant and captain for service in the Medical Service Corps section, applicants must meet the requirement for second lieutenant and must have additional qualifying education and/or appropriate progressive experience to meet the criteria for the respective grades specified in paragraph (a) (1) (ii) (d) of this section.

* * * * * [C2, SR 140-105-6, Feb. 27, 1951] (R. S. 161; 5 U. S. C. 22. Interprets or applies Sec. 37, 39 Stat. 189, as amended; 10 U. S. C. 351-353)

[SEAL] EDWARD F. WITSELL,
Major General, U. S. Army,
The Adjutant General.

[F. R. Doc. 51-3580; Filed, Mar. 21, 1951;
8:49 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX**Chapter III—Office of Price Stabilization, Economic Stabilization Agency**

[General Ceiling Price Regulation,
Supplementary Regulation 14]

GCPR, SR 14—SALES BY COMMODITY CREDIT CORPORATION

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Supplementary Regulation 14 to the

General Ceiling Price Regulation (16 F. R. 809) is hereby issued.

STATEMENT OF CONSIDERATIONS

This supplementary regulation is issued to enable the Commodity Credit Corporation to sell its stocks of agricultural commodities in accordance with the provisions of section 407 of the Agricultural Act of 1949.

The Commodity Credit Corporation acquires commodities when required by law to do so to maintain producer prices for agricultural commodities at support levels, and under section 407 of the Agricultural Act of 1949 is generally prohibited from selling these commodities at less than 105 percent of the current support price plus reasonable carrying charges. Thus, it does not operate in the market in the day-to-day manner normal to commercial purchasers and sellers.

The effect of the General Ceiling Price Regulation was to freeze the Commodity Credit Corporation's sales prices at their base period levels, and thereby prevented that Corporation from adding to its ceilings those carrying charges which accrued after the base period. In so doing, the General Ceiling Price Regulation ran counter to the provisions of section 407 of the Agricultural Act of 1949 which generally require the Corporation to add reasonable carrying charges in computing the sales prices of its commodities.

This supplementary regulation is issued to provide that ceiling prices for sales by the Corporation may be the higher of (1) the ceiling price applicable to sales of the commodity to the class of purchaser involved, or (2) the minimum sales price authorized by section 407 of the Agricultural Act of 1949.

REGULATORY PROVISIONS**Sec.**

1. Applicability of this supplementary regulation.
2. Ceiling prices.

AUTHORITY: Sections 1 and 2 issued under sec. 704, Pub. Law 774, 81st Cong. Interpret or apply Title IV, Pub. Law 774, 81st Cong., E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, 3 CFR, 1950 Supp.

SECTION 1. Applicability of this supplementary regulation. This regulation applies to sales of commodities by the Commodity Credit Corporation.

Sec. 2. Ceiling prices. The ceiling price for the Commodity Credit Corporation, in selling an agricultural commodity acquired in connection with the operation of its price support program, shall be the higher of (a) the ceiling price, determined under the General Ceiling Price Regulation, as amended and supplemented, applicable to sales of the commodity to the class of purchaser involved, or (b) the minimum sales price authorized by section 407 of the Agricultural Act of 1949 (7 U. S. C. 1427). The ceiling price for the Commodity Credit Corporation in selling a commodity, acquired in connection with its price support program, processed from an agricultural commodity shall be the higher of (1) the ceiling price, determined under the General Ceiling Price Regulation, as amended and supplemented, applicable to sales of

RULES AND REGULATIONS

the processed commodity to the class of purchaser involved, or (2) a price for such processed commodity which will reflect a price for the agricultural commodity equal to the minimum sales price required by section 407 of such act.

Effective date. This supplementary regulation to the General Ceiling Price Regulation shall become effective March 21, 1951.

EDWARD F. PHELPS, Jr.,
Acting Director of Price Stabilization.

MARCH 20, 1951.

[F. R. Doc. 51-3660; Filed, Mar. 21, 1951;
10:49 a. m.]

Chapter VI—National Production Authority, Department of Commerce

[NPA Order M-36, as Amended Mar. 21, 1951]

M-36—GOVERNMENT ORDERS FOR PAPER

This order as amended is found necessary and appropriate to promote the national defense and is issued pursuant to the authority of section 101 of the Defense Production Act of 1950. In the formulation of this amendment there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations.

This amendment affects NPA Order M-36 as follows: It adds a new item 14 to List A; deletes List B as formerly constituted; and substitutes a new List B in its stead. As so amended, NPA Order M-36 reads as follows:

Sec.

1. What this order does.
2. Definitions.
3. Reserve production.
4. Directives.
5. Release of reserve production.
6. Report of Government orders.
7. Rated orders.
8. Adjustment.
9. Communications.
10. Records.
11. Audit and inspection.
12. Violations.

AUTHORITY: Sections 1 to 12 issued under sec. 704, Pub. Law 774, 81st Cong. Interpret or apply sec. 101, Pub. Law 774, 81st Cong.; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, 3 CFR, 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61.

SECTION 1. What this order does. This order applies to paper manufacturers and provides rules for placing, accepting, and scheduling Government orders for paper. Its purpose is to make possible maximum production of paper and reduce to a minimum any disruption of normal distribution by providing for the equitable sharing of Government orders among paper manufacturers. It supplements NPA Reg. 2, but only those provisions of Reg. 2 which are contradictory to this order are superseded, and all other provisions of Reg. 2 continue to apply to the paper industry.

SEC. 2. Definitions. As used in this order:

(a) "Grade" means any kind of paper as listed in Form M-14-A, as revised February 24, 1951 (U. S. Department

of Commerce, Bureau of the Census), or any particular type of paper of such a kind even though not specifically mentioned in such form.

(b) "Produce" and "manufacture" mean and include all making and finishing operations necessary to the production of primary paper prior to packing or packaging.

(c) "Schedule" means the completion of all steps ordinarily taken by the manufacturer preliminary to actual manufacture, including acknowledgment to buyer, establishment of detailed specifications, and determination of the time when the order will be manufactured and shipment made.

(d) "Government order" means (1) any DO rated order and (2) any order, whether rated or not, for direct or indirect delivery to any activity on List A except those orders for paper intended for resale at retail, such as supplies for post exchanges, etc.

SEC. 3. Reserve production. (a) Each manufacturer shall reserve for the month of February 1951, and for each calendar month thereafter, machine time, material, and supplies sufficient to produce and deliver within such month a total amount of paper to be calculated by applying the percentage specified for each grade in List B of this order to his average monthly production of such grade during the most recent calendar quarter, as originally reported on Form M-14-A as revised. Each manufacturer shall furnish the NPA with a record of his paper production for the fourth quarter 1950 and January 1951, on the basis of instructions to be issued by NPA pursuant thereto.

(b) The National Production Authority may from time to time increase or decrease manufacturers' reserve production by changing the percentages in List B of this order or applying the same or different percentages to other types, grades, or combinations of grades. Each such increase or decrease will be effected by notice in writing to each manufacturer or by notice published in the *FEDERAL REGISTER* at least 10 days prior to the first day of the month to which it applies.

SEC. 4. Directives. On or before the tenth day of any month, the National Production Authority may direct any manufacturer to produce during such month any grade of paper which such manufacturer is qualified to produce, in total tonnage not exceeding the amount of his reserve production for such month less the Government orders he has already scheduled for that month. The National Production Authority may direct a manufacturer to sell and deliver such tonnage to fill any Government order or orders that it may designate.

SEC. 5. Release of reserve production. If on or before the tenth day of any month a manufacturer has not received from the National Production Authority directives as to the disposition of all production reserved for such month, in excess of the Government orders he has already scheduled for such month, he may apply that production for which no directives have been received as he may

desire, subject to the provisions of this order and other orders and regulations of National Production Authority.

SEC. 6. Report of Government orders.

(a) Each manufacturer shall report at the close of each month on Form M-14-A, as provided therein, such Government orders, including directed tonnage, as are qualified under this order which he has produced in such month and those Government orders, excluding directed tonnage, which he has scheduled for production in the second and third subsequent months. For example, the February 1951 report will show the actual total of Government orders produced in February and the Government orders, excluding directed tonnage, for April and May production. Having once reported a qualified order as scheduled in a given forward month, the manufacturer shall produce such orders as scheduled and so reported, and shall report the same order as scheduled for a different month only if requested by the buyer to so reschedule.

(b) If in any month a manufacturer's total scheduled Government orders for a subsequent month shall change materially (25 percent of his reserve production or 10 tons, whichever is greater) from his previous report, he may file Form NPAF-27 showing his revised schedule of Government orders, excluding directed tonnage.

(c) He shall initially file Form NPAF-27 by February 20, 1951, to show his Government order schedule for the month of March 1951.

(d) The manufacturer's reserve tonnage position as shown in the monthly Form M-14-A, in the interim reports, NPAF-27, if any, and directives will be taken into consideration by the National Production Authority in issuing such directives as may be found necessary under this order.

SEC. 7. Rated orders. (a) No manufacturer shall be required to accept DO rated orders for paper for shipment in any one month in excess of his reserve production for that month less his tonnage of Government orders already scheduled for that month.

(b) Unless specifically directed by the National Production Authority, no manufacturer need accept a DO rated order which is received less than 40 days prior to the first day of the month in which shipment is requested.

SEC. 8. Adjustment. Any person affected by any provision of this order may file a request for adjustment or exception upon the ground that such provision works an undue or exceptional hardship upon him not suffered generally by others in the same trade or industry, or that its enforcement against him would not be in the interest of the national defense or in the public interest. In considering requests for adjustment claiming that the public interest is prejudiced by the application of any provision of this order, consideration will be given to the requirements of public health and safety, civilian defense, and dislocation of labor and resulting unemployment that would impair the defense program. Each request shall be in writing, shall set forth all pertinent

facts and the nature of the relief sought, and shall state the justification therefor.

SEC. 9. Communications. All communications concerning this order shall be addressed to National Production Authority, Washington 25, D. C., Ref: M-36.

SEC. 10. Records. Each person participating in any transaction covered by this order shall retain in his possession for at least 2 years records of receipts, deliveries, inventories, and use, in sufficient detail to permit an audit that determines for each transaction that the provisions of this order have been met. This does not specify any particular accounting method and does not require alteration of the system of records customarily maintained, provided such records supply an adequate basis for audit. Records may be retained in the form of microfilm or other photographic copies instead of the originals.

SEC. 11. Audit and inspection. All records required by this order shall be made available at the usual place of business where maintained for inspection and audit by duly authorized representatives of the National Production Authority.

SEC. 12. Violations. Any person who wilfully violates any provisions of this order or any other order or regulation of the National Production Authority or wilfully conceals a material fact or furnishes false information in the course of operation under this order is guilty of a crime and upon conviction may be punished by fine or imprisonment or both. In addition, administrative action may be taken against any such person to suspend his privilege of making or receiving further deliveries of materials or using facilities under priority or allocation control and to deprive him of further priorities assistance.

NOTE: The reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order as amended shall take effect on March 21, 1951.

NATIONAL PRODUCTION
AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

LIST A

1. United States Department of Defense, including all groups and subgroups.
2. Atomic Energy Commission.
3. United States Coast Guard.
4. National Advisory Committee for Aeronautics.
5. Civil Aeronautics Administration.
6. Tennessee Valley Authority.
7. U. S. Department of Justice, Bureau of Prisons.
8. United States Government Printing Office.
9. United States Bureau of Engraving and Printing.
10. General Services Administration.
11. United States Post Office.
12. Reconstruction Finance Corporation, Office of Rubber Reserve.

13. Producers of products or parts thereof for any of the activities listed above to the extent that the primary paper is to be used exclusively as a component part of the product to be delivered on a contract or purchase order issued by such activity.
14. Any activity of the United States Government not listed above normally required to obtain paper and printed matter through or from the United States Government Printing Office if and when the GPO grants a waiver of such requirement, and manufacturers of products using paper for any such activity, to the extent that the primary paper is to be used exclusively as a component part of the product to be delivered, on a contract or purchase order issued by such activity if and when such a waiver is granted. Any such waiver must have been granted for the specific contract or purchase order concerned and an adequate identification of the waiver number and date of issuance thereof must be endorsed upon the contract or purchase order.

LIST B

Grade	M-14-A code numbers	Percent
Newsprint and groundwood papers.	1000-1190.....	5
Printing and converting papers, paper-machine coated.	1200-1220.....	5
Book and fine papers.	1300-1460.....	15
Coarse papers (unbleached kraft grades only).	1511, 1521, 1530, 1591.	10
Coarse papers (other than unbleached kraft grades).	1512, 1519, 1522, 1529, 1592, 1599.	5
Special industrial papers.	1600.....	15
Sanitary tissue stock.	1700.....	5
Crepe wadding for packing.	1870.....	25
Tissue papers (except sanitary and crepe wadding for packing).	1890.....	5
Absorbent papers.	1900.....	5

[F. R. Doc. 51-3665; FILED, Mar. 21, 1951;
11:29 a. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 36—SERVICEMEN'S READJUSTMENT ACT OF 1944

SUBPART A—TITLE III; LOAN GUARANTY

MISCELLANEOUS AMENDMENTS

1. In § 36.4343, a new paragraph (h) is added as follows:

§ 36.4343 Loans which may not be processed automatically. * * *

(h) The requirements of paragraph (g) of this section shall not obtain with respect to loans affected by special conditions for which proper authority, pursuant to Executive Order No. 10161, dated September 9, 1950, prescribes modifications or exceptions.

2. In § 36.4356, paragraph (c) is amended and a new subparagraph (7) is added to paragraph (e) to read as follows:

§ 36.4356 Credit restrictions. * * *

(c) Except as otherwise provided in this paragraph, the maturity of a loan for the purchase, construction, repair, alteration, or improvement of residential property shall not exceed 25 years

and 32 days: *Provided*, That if the purchase price or cost of construction is in excess of \$7,000 the maturity of the loan shall not exceed 20 years and 32 days. In the event the Administrator determines that the income and expenses of the veteran at the time of his application for the loan are such that he would be unable to maintain the required schedule of amortized payments for a loan which matures in 25 years and 32 days or 20 years and 32 days, as the case may be, but that taking into consideration the veteran's current and prospective income and expense he would be able to make the payments on the loan if amortized over a longer period of time, the loan may be made, with the prior approval of the Administrator, with a maturity for such longer period of time but not in excess of 30 years: *Provided*, That in no event will the maturity exceed the estimate economic life of the property securing the loan: *And provided further*, That nothing herein shall preclude the extension of the loan pursuant to the provisions of § 36.4314.

* * * * *

(e) * * * *

(7) Loans affected by special conditions for which proper authority, pursuant to Executive Order No. 10161, dated September 9, 1950, prescribes modifications or exceptions to the requirements which otherwise would obtain under this section.

3. In § 36.4504, a new paragraph (g) is added as follows:

§ 36.4504 *Loan closing expenses.*

* * * *

(g) The requirements of paragraph (e) of this section shall not obtain with respect to loans affected by special conditions for which proper authority, pursuant to Executive Order No. 10161, dated September 9, 1950, prescribes modifications or exceptions.

(Sec. 504, 58 Stat. 293, as amended; 38 U. S. C. 694d.)

This regulation is effective March 22, 1951.

[SEAL]

O. W. CLARK,
Deputy Administrator.

CREDIT RESTRICTIONS PURSUANT TO THE DEFENSE PRODUCTION ACT OF 1950 ON LOANS MADE OR ASSISTED BY THE ADMINISTRATOR OF VETERANS' AFFAIRS

I hereby find that the regulations contained in Title 38, Chapter 1, §§ 36.4343 (h), 36.4356 (c) and (e) (7), and 36.4504 (g), Regulations of the Administrator of Veterans' Affairs, supra, effective concurrently herewith, are issued in accordance with Title VI of the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), and Part V of Executive Order 10161 (15 F. R. 6105). In the formulation of the foregoing, there has been consultation with industry representatives concerned, and consideration has been given to the recommendations of such representatives.

(Reorg. Plan No. 3 of 1947, 12 F. R. 4981, 3 CFR, 1947 Supp.; 5 U. S. C. Sup. 133y-16

note. Pub. Law 774, 81st Cong., E. O. 10161, Sept. 9, 1950, 15 F.R. 6105, 3 CFR, 1950 Supp.)

Effective as of the 22d day of March, 1951.

[SEAL] B. T. FITZPATRICK,
Acting Housing and Home
Finance Administrator.

[F. R. Doc. 51-3579; Filed, Mar. 21, 1951;
8:49 a. m.]

TITLE 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 64—DOMESTIC INSURANCE AND COLLECT-ON-DELIVERY SERVICES: INDEMNITY

MISCELLANEOUS AMENDMENTS

Pursuant to authority contained in sections 244 and 246c of Title 39, United States Code, the Postmaster General has prescribed regulations under which insured or collect-on-delivery parcels may be returned to the sender, and it having been found that the effect of these regulations is to relieve certain restrictions hitherto placed on the handling of insured and collect-on-delivery parcels, and it having been further found that compliance with the notice, public rule making procedure, and effective date requirements of the Administrative Procedure Act (5 U. S. C. 1003) is impracticable for the reason that such compliance would impede the due and timely execution of the functions of this Department, it is, therefore, ordered that, effective at once, Part 64 be amended as follows:

a. In § 64.9 *Undeliverable matter* (39 CFR 64.9) make the following changes:

1. Amend paragraph (b) by striking out "20" and substituting in lieu thereof "15."

2. Add new paragraphs (e) and (f) to read as follows:

(e) C. o. d. parcels which do not bear the special instructions set forth in §§ 64.57 and 64.58, or requests for notification on Form 3849-D, may be returned to the senders immediately if: (1) Delivery cannot be effected because the addressees are unknown or cannot be found at the places of address; (2) the parcels are addressed to street addresses or localities that do not exist at the offices of address; (3) the parcels are addressed to deceased addressees and delivery cannot be made to one legally entitled to act for the deceased addressee.

(f) (1) Senders may request the return of undelivered insured or c. o. d. parcels prior to the expiration of the time limit specified thereon, or the holding of the parcels for an additional period not exceeding a total of 30 days.

(2) When insured and c. o. d. parcels are forwarded, they shall be held at the offices to which forwarded for the same periods as prescribed for the offices of original address.

b. In § 64.43 *Remittance of c. o. d. charges or forwarding of undelivered c. o. d. parcels to other than actual mailer* (39 CFR 64.43) amend paragraph (c) (4) by striking out "20" and substituting in lieu thereof "15."

RULES AND REGULATIONS

c. In § 64.44 *Notification of and conditions under which local or nearby senders' representatives may accept undelivered c. o. d. parcels* (39 CFR 64.44) amend paragraph (a) (6) by striking out "20" wherever it appears therein and substituting in lieu thereof "15."

d. In § 64.56 *Nursery stock* (39 CFR 64.56) amend paragraphs (b) and (c) by striking out "20" as it appears therein and substituting in lieu thereof "15."

e. In § 64.58 *Abandonment of insured or c. o. d. mail* (39 CFR 64.58) amend the note by striking out "20" and substituting in lieu thereof "15."

(R. S. 161, 396, sec. 8, 37 Stat. 558, as amended, secs. 304, 309, 42 Stat. 24, 25, sec. 211, 43 Stat. 1069, 46 Stat. 377, as amended; 5 U. S. C. 22, 369, 39 U. S. C. 244, 246c)

[SEAL] V. C. BURKE,
Acting Postmaster General.

[F. R. Doc. 51-3570; Filed, Mar. 21, 1951;
8:46 a. m.]

PART 95—SERVICE BY PNEUMATIC TUBES OR SIMILAR DEVICES

In Part 95, Service by Pneumatic Tubes or Similar Devices (39 CFR, Part 95), rescind § 95.1.

(R. S. 161, 396, secs. 304, 309, 42 Stat. 24, 25; 5 U. S. C. 22, 369)

[SEAL] V. C. BURKE,
Acting Postmaster General.

[F. R. Doc. 51-3569; Filed, Mar. 21, 1951;
8:46 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Docket No. 9857]

PART 34—UNIFORM SYSTEM OF ACCOUNTS FOR RADIOTELEGRAPH CARRIERS

RETIREMENT UNITS

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 14th day of March 1951;

The Commission having under consideration the matter of amendment of Part 34 (Uniform System of Accounts for Radiotelegraph Carriers) of its rules and regulations;

It appearing, that on December 22, 1950, the Commission published a notice of proposed rule making, in accordance with section 4 (a) of the Administrative Procedure Act, which notice set forth a revision of § 34.1-6, and that the period in which interested persons were afforded an opportunity to submit comments expired on January 15, 1951; and that only The Western Union Telegraph Company submitted comments during that period, the substance of the comments consisting of proposals for the elimination, substitution or addition of certain retirement units because of circumstances peculiar to Western Union's low power microwave plant, and suggesting that a conference be arranged with members

of the Federal Communications Commission staff in order to resolve the differences; and

It further appearing, that no comments or briefs were filed in reply to Western Union's original comments; that an informal conference among members of the staff and representatives of Western Union was held in Washington, D. C., on February 27, 1951, at which conference it was mutually agreed that the low power microwave plant of Western Union does not constitute a radiotelegraph system subject to the provisions of Part 34 and is not analogous in all respects to the plant used in international radiotelegraph service; that the property included by Western Union in account 1530, "Telephone and radiotelegraph plant," is subject to the accounting procedures provided in Part 35 of the Commission's rules; and that it is desirable and proper to make final the adoption of the amendment as originally proposed in the aforementioned notice of proposed rule making; and

It further appearing, that authority for the promulgation of this amendment is contained in sections 4 (i) and 220 of the Communications Act of 1934 as amended; and

It further appearing, that under section 220 (g) of the Communications Act of 1934, as amended, notice of alterations by the Commission in the required manner or form of keeping accounts shall be given by the Commission at least six months before the same are to take effect;

It is ordered, That effective October 1, 1951, Part 34 of the Commission's rules and regulations is amended as set forth below:

Provided, however, That any carrier may adopt the modified accounting procedure set forth in such amendment at any earlier date.

(Sec. 4, 48 Stat. 1066, as amended; 47 U. S. C. 154. Interprets or applies sec. 220, 48 Stat. 1078; 47 U. S. C. 220)

Released: March 15, 1951.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] T. J. SLOWIE,
Secretary.

Delete § 34.1-6-1 and substitute the following:

§ 34.1-6-1 *Retirement units.* (a) The list of retirement units in this section shall be used in connection with plant retirements for the purpose of distinguishing between amounts chargeable to account 1515, "Allowance for depreciation—Radiotelegraph plant," under the provisions of § 34.1-6 (b) (1) and replacement costs chargeable to the maintenance accounts, as provided in § 34.41-5 (a) (2). These retirement units should not be confused with property units used in continuous property records (see § 34.1-8) and shall not be considered as affecting the classification of plant (see § 34.03-12).

(b) Elimination of or substitution for retirement units listed in this section may not be performed without specific authority by the Commission except that items which are not combinations of the listed retirement units may be added

without such authority and carriers may account for any listed units as maintenance when they are of small cost and are not complete units of operated plant.

(c) This list shall be expanded by the carrier to include complete units of operated plant not shown in this section.

(d) The carrier shall report to the Commission, within 90 days after June 30 of each year, and as at that date, all additions which have been made to the list under this authority, all items included in the list which have become obsolete, either as to technical titles or use in communication service, and the items which the experience of the carrier has shown to involve a small cost only. This report should include such other information concerning the list as the carrier may desire to place before the Commission with a request for appropriate action by the Commission in the matters described.

(e) The article "a," "an," or "the," as appropriate, should be read in connection with each retirement unit listed in this section.

LAND IMPROVEMENTS (ACCOUNT 12)

Barrier, road or snow—not part of fence or wall.
Bench—permanently attached.
Billboard or sign.
Branch or spur—extending from a main roadway or sidewalk—complete.
Bridge or trestle—foot or road.
Cattle-guard.
Fence, wall or hedge—continuous length of 50 feet or more.
Fountain or pond—ornamental.
Gate, ornamental—not associated with fence or wall.
Incinerator—stone, brick, or concrete.
Lawn or other landscaped area—complete—1,000 square feet or more in area.
Pavilion, rest.
Platform loading—not part of building.
Pole, post, standard or fixture—yard lighting or other, with or without appurtenances.
Power line or cable—yard lighting.
Railroad spur or siding.
Road, walk, yard, or parking area—improved surface—complete system, 300 square feet or more in area.
Stand or pit, car washing or greasing.
Swimming pool, tennis court or similar recreation unit—complete.
Trough, water.

DRAINAGE, SEWERAGE, GAS AND WATER SYSTEMS (ACCOUNT 13)

Basin.
Dike or levee—section of.
Drain, sewer, dam or spillway—branch or main—continuous length of 20 feet or more.
Engine or engine foundation.
Filtration plant.
Gas supply or distribution system.
Hydrant.
Hydraulic ram—complete installation.
Manhole or handhole.
Motor, electric (1 or more hp.).
Pole, power supply line.
Power supply cable or line—complete or section of 300 feet or more.
Pump, water.
Reservoir, cistern or well.
Shelter or housing for machinery.
Sprinkler system, lawn.
Subsurface drain bed.
Tank or cesspool—septic, settling or water—with or without tower or other support.
Water conducting system—piping or other medium—complete, or continuous length of 20 feet or more.
Windmill or windmill tower.

BUILDINGS (ACCOUNT 14)

Air-conditioning or ventilating system.
Automatic stoker.
Boiler.
Building.
Chimney or stack.
Conveying system, coal or ash.
Crane or hoist—other than mobile.
Door or window—metal or wood—complete, with box, frame and sash.
Elevator—complete with or without operating mechanism.
Fire escape.
Flooring for one room.
Fountain, drinking.
Furnace, heater or heating system.
Ground bus structure—permanent ground system.
Ground system, electrical—buried part of ground bus structure.
Heater, hot-water.
House-lighting or power board.
Motor (1 or more h. p.), generator, engine, turbine, pump, compressor, ventilating fan, air washer, elevator drum or other—with or without associated wiring, control equipment, etc.
Penthouse.
Platform, loading.
Roof—with or without supporting structures.
(A building of irregular shape having more than one roof level may have several isolated roofs, each of which shall be considered an entire roof. In the case of buildings to which lateral extensions have been made, even though having but one roof level, that part of the roof covering an entire section built at one time shall be considered an entire roof.)
Tank—oil or water.

Other costs to be treated as retirement units. (In addition to the foregoing retirement units, portions of buildings, equipment, fixtures, etc., installed and retired, and the labor and incidental costs involved in connection with work of the following character, shall be handled through the plant and depreciation-allowance accounts):

Changes in the type of operation of elevator systems, e. g., a change from manual to automatic control of cars, from manual to power operation of doors, from low speed to high speed, from direct to alternating current, from hydraulic to electric operation, from one type of signaling or dispatching system to another.

Relocation of toilet rooms, battery rooms, kitchens, terminal rooms, transformer vaults, etc.

Structural changes, such as: Reinforcements of floors, roofs, bearing walls, footings and foundations; additions or relocations of elevator shafts, stairways, fire exits, and vaults, but excluding switchboard cable holes and slots; and building alterations required for fire protection and other safety measures.

Changes in the type of electric current supply, or of ventilating, air-conditioning or similar systems.

Building enlargements.

Replacements of plumbing or heating pipes—with or without associated valves, except when necessitated by minor repairs or minor relocations of fixtures.

Replacements of all or substantially all the lighting fixtures—with or without associated wiring and conduit—in one operating or equipment room or, in the case of office space, on one floor of a building.

General replacements (throughout a building or throughout an entire portion erected at one time) of items such as supply, return or air valves in heating systems; hot or cold water valves or faucets; and plumbing, heating, or drainage traps.

TOWERS AND MASTS (ACCOUNT 21)

Beacon-light—flashing or other warning, complete.
Fixture, crossarm or bridge.
Guy or anchor—complete.
Halyard—permanent.
Ladder or stairway—access.
Mast—pole-type or A-frame structure.
Time switch—airway beacon.
Topmast.
Tower.
Towerhouse.
Tower-lighting system.
Triatic system.
Winch—with or without foundation.

ANTENNA SYSTEMS (ACCOUNT 22)

Antenna—complete.
Cable—wave change, control or metering.
Conductor system, buried.
Counterpoise system.
Discrimination network.
Down leads—all associated with one antenna.
Filter assembly.
Frequency matching trap.
Ground system.
Lightning arrestor assembly.
Pole—20 feet or more in height.
Power board.
Shelter, housing or platform.
Single or multiple antenna wire (with or without associated spacers, supporting insulators and catenary wires, if integral parts of span)—continuous span.
Single "panel" of antenna wire—with supporting wire and insulators.
Sleet-melting system.
Terminal or switching structure—with or without foundation.
Transmission line—2 or more continuous spans or a section of 300 feet or more.
Tuning or uncoupling coil (includes VLF and LF).

CONTROL LINES (ACCOUNT 26) AND POWER-SUPPLY LINES (ACCOUNT 27)

Cable, aerial—with or without associated suspension strand, clamps or rings—one or more spans.
Cable—buried or underground—a section of 300 feet or more, or a section between manholes, splicing boxes or pedestals.
Cable entrance or stub—building.
Case of equipment, such as loading coils, building-out condensers, carrier line filters, or auto-transformers.
Gas-pressure fault-indicating system.
Manhole or handhole.
Pole (line, brace, guy or pole forming part of an A or H frame)—with or without associated anchors, guys, steps or other appurtenances.
Pothead, high tension.
Special fixture (bridge, tower or other special river-crossing or long-span fixture)—with or without associated anchors, guys or other appurtenances.
Telephone or complete telephone system—field.

Tone conversion unit.

Tone source unit.

Transformer, pole mounted.

Underground conduit or dip—a section between a manhole, handhole, or service box and a pole or building; or between two manholes, handholes, service boxes or buildings.

Wire—with or without associated insulators or other hardware—two or more continuous spans.

ELECTRON-TUBE TRANSMITTER EQUIPMENT (ACCOUNT 31)

Air-duct system.
Amplifier unit.
Antenna coupling device.
Blower.
Control panel.
Cooling unit—oil or water.
Driver or exciter unit.

RULES AND REGULATIONS

Generator.
Harmonic filter unit.
Keyer unit—tone signal, frequency shift, etc.

Modulator unit.
Motor, electric (1 or more hp.).
Oscillator unit.

Power supply unit, crystal.
Pump.
Radiator.

Rectifier unit.

Transformer.

Transmitter—complete, with or without associated wiring or conduit.

OTHER TRANSMITTER EQUIPMENT (ACCOUNT 32)

Air-duct system.
Alternator armature quarter-section.
Alternator, radio frequency.
Alternator substation.
Ammeter, graphic recording.
Amplifier, magnetic.
Armature (associated with main machine of 25 or more hp.).
Circuit breaker, oil.
Compressor.
Condensers, battery of.
Foundation.
Gears, reduction—with or without gear boxes or housing (alternator).
Keyer unit.
Motor, electric (1 or more hp.).
Motor-generator.
Panel or switchboard.
Pump.
Rheostat, liquid.
Rotor.
Tank.
Transformer.
Variometer.

COOLING APPARATUS (ACCOUNT 33)

Air duct.
Blower.
Cooling pond.
Cooling pond louvre or wind break.
Cooling tank structure.
Cooling or spray tower.
Fan, exhaust.
Heat exchanger.
Machine foundation.
Motor, electric (1 or more hp.).
Pipe lines and valves in connection with cooling devices—complete or continuous length of 20 feet or more.
Pump.
Radiator.
Refrigerating unit.
Sump.
Tank—brine or fresh water.
Water still.

RECEIVER EQUIPMENT (ACCOUNT 34)

Amplifier unit.
Antenna combining or coupling unit.
Coll box.
Converter unit.
Current-limiter or limiter-adapter.
Demodulator or detector unit.
Frequency indicator or adapter.
Frequency shift keying unit.
Monitor unit.
Oscillator unit.
Panel—antenna distribution, receiver relay, signal control or power supply.
Power-supply unit.
Rack, table, desk, or other structure used as mounting.
Receiving set—complete.
Rectifier unit.
Rejector coupling unit.
Tone keyer unit.
Tuner unit.
Voltage regulator unit.

POWER SUPPLY AND DISTRIBUTION EQUIPMENT (ACCOUNT 36)

Alternator.
Ash or coal conveyor.
Battery charging installation.
Battery, storage.

Battery rack, cabinet, or counter—storage or dry.
Boiler.
Bus bars, cable or wiring—with or without conduit (such as between: battery and fuse panel or power switchboard and equipment).

Bus and switching structure—substation.

Circuit breaker.

Compensator.

Compressor, air.

Condenser, power factor correction or synchronous motor.

Disconnect switch, high tension.

Feed water condenser.

Filter assembly, battery charging.

Filter condensers.

Fuse cabinet or box.

Generator.

Housing or shelter for pump.

Lighting system, substation.

Lightning arrester assembly.

Machine foundation.

Meter, demand or watt hour.

Metering transformer, high tension.

Mercury tank.

Motor generator.

Motor, electric (1 or more hp.).

Oil burner.

Power plant or substation—complete.

Prime mover.

Pump.

Rack or frame—rectifier, filter.

Reactor.

Rectifier.

Starter.

Stoker, automatic.

Substation enclosure, structure, vault or house.

Switchboard or control panel.

Tank—fuel oil, feed water, or compressed air.

Tanks or jars—complete set for storage batteries.

Transformer.

Trolley hoist or crane.

Voltage regulator.

CONTROL APPARATUS (ACCOUNT 40)

Air conditioning system—associated with a frequency-measuring room—not part of building.

Amplifier or amplifier-rectifier unit.

Annunciator system.

Audio-frequency carrier telegraph equipment.

Automatic transmitter unit or base.

Base, printer or reperforator.

Blower.

Board printer-control, relay, amplifier, line-test, or keyer.

Bus truck.

Cabinet—with or without equipment.

Call register.

Carriage, printer.

Chute.

Clock—synchronous, master, or control board.

Comparator.

Compressor.

Concentrator for radiotelegraph or wire-telegraph circuits, printer circuits or telephones.

Console, teletypewriter—package set—reperforator or perforator.

Control or switching box.

Control booth, desk, or console.

Converter unit.

Conveyer belt installation.

Correction unit—multiplex.

Cover—printer, reperforator or perforator.

Demodulation limiter unit.

Duplex terminal regenerator set or unit.

Duplicating machine, message.

Error detector unit.

Facsimile machine—transmitting, receiving or combination.

File or rack—message handling.

Filter-rack installation.

Filter unit.

Fork unit.

Frequency meter.

Frequency standard.

Frequency standard check equipment unit.
Fuse panel—with or without associated wiring.

Harmonic generator or distortion amplifier unit.

Heat-control unit, fork.

Hybrid coil panel.

Ink recorder or undulator.

Intercommunicating system.

Inverter unit.

Jack panel.

Keyboard—printer or reperforator.

Keyer unit.

Lamp panel—with or without associated wiring.

Limiter.

Line-equalizing unit.

Microphone—complete with mounting, connecting cord, etc.

Microphone control panel.

Mixer panel.

Modulator unit.

Monitor loudspeaker—portable.

Monitor receiver—portable.

Monitor recorder—portable.

Motor starter or compensator.

Motor, electric (1 or more hp.).

Multi-conductor patching panel.

Multiple pen recorder.

Multiplex machine.

Multiplex terminal.

Multi-vibrator unit.

Numbering machine, message.

Oscillator unit.

Oscilloscope or oscillograph.

Perforator or reperforator.

Phonographic turntable.

Photoradio or facsimile terminal.

Photoradio operating table—complete with wiring, outlets, compressor, etc.

Photoradio receiving recorder.

Photoradio universal transmitting and receiving machine.

Pneumatic tubing—with or without protective covering—section of.

Power control unit—multiplex.

Power supply unit.

Printer control unit.

Printer, keyboard—page or tape.

Public-address system.

Rack, table, stand, desk, panel, shelf, console, cabinet or other supporting structure—with or without equipment.

Radio field-intensity measuring installation.

Radio receiver or unit.

Radio transmitter frequency-control installation.

Reactor, modulation.

Receiving terminal—tape tube.

Recorder, time-signal.

Rectifier.

Regulator unit.

Relay-control drawer—with or without relays—teletypewriter package set.

Relay test panel—with or without associated wiring.

Relay tray.

Scanner unit—radiophoto.

Signal indicator, teletypewriter—package set.

Storage distributor.

Switchboard, call circuit.

Tape puller.

Tape puller foot control assembly—integral with operating table.

Tape rewind—motor driven.

Tape stop.

Teleautograph installation.

Telegraph repeater.

Telephone head-set, hand-set, breast-set, receiver, or transmitter.

Telephone modulator.

Teletypewriter.

Temperature-control box.

Test board—telegraph.

Time delay unit for automatic transmitters.

Time stamp or time-stamp installation.

Tone-generator unit or installation.

Transformer, power or modulation.

Translator (converter).

Transmitter-distributor.

Transmitter frequency monitor.

Twin signal regenerator—multiplex.
Typewriter, traffic.
Typing unit, printer or reperforator.
Volume-indicator unit.
Water copy wringer or press.
Wiring base, cabinet rack.

**EQUIPMENT ON CUSTOMERS' PREMISES
(ACCOUNT 41)**

In addition to the item "Call Boxes" which is peculiar to equipment on customers' premises, the retirement units for this account shall correspond to those designated for comparable equipment in carriers' offices.

**FURNITURE AND OFFICE EQUIPMENT
(ACCOUNT 51)**

Air-conditioning unit—portable.
Bed, cot, couch, davenport or lounge.
Cabinet.
Cafeteria and hotel equipment.
Cash register.
Chair.
Costumer.
Counter.
Desk or table.
Fan, electric—portable.
Fire extinguisher—portable, hand-refillable.
Floor coverings.
Heater, electric—portable.
Locker.
Machines—Accounting, adding, addressing, billing, blueprinting, calculating, listing, dictaphone and duplicating.
Piano or phonograph.
Receiver—radio or television.
Refrigerator.
Safe.
Shotgun, rifle or revolver.
Sign—portable.
Time clock or other.
Typewriter.
Vacuum cleaner.
Venetian blinds.
Washing machine.
Water cooler.

**SHIP STATION EQUIPMENT (ACCOUNT 61) AND
OTHER MOBILE STATION EQUIPMENT (AC-
COUNT 69)**

Automatic alarm.
Direction finder.
Radar.
Ringer.
Sperry repeater.

Also, each applicable item of equipment as listed under the other accounts.

VEHICLES AND DRAFT ANIMALS (ACCOUNT 71)

Air compressor, mobile.
Airplane.
Amphibious vehicle.
Automobile.
Bicycle.
Boat or barge.
Cart.
Draft animal.
Harness, set of.
Motorcycle.
Motor truck—with or without body.
Motor truck body.
Mounted kitchen.
Pole dolly or dinkey.
Scooter-bike.
Sled.
Tractor or trailer.
Wagon.

**SHOP EQUIPMENT, TOOLS AND IMPLEMENTS
(ACCOUNT 72) AND STORE AND WAREHOUSE
EQUIPMENT (ACCOUNT 73)**

Acetylene torch outfit.
Air compressor.
Analyzer, spectrum.
Back-filling machine.
Bending brake.
Blower, power.
Boring mill.
Bridge—capacity, resistance, inductance, or combination thereof.
Cabinet, chest, counter, bin, barrel or shelving.
Circuit tester or analyzer.
Compressed air tool.
Concrete mixer.
Counter—movable.
Crane, derrick, chain hoist or winch.
Crystal testing installation.
Decade resistance box.
Decrometer.
Diaphragm pump—with or without engine—portable.
Dummy antenna or dummy load.
Earth-boring machine—not part of a truck or tractor.
Engine.
Farm implement—costing over \$10.00.
Field intensity measuring installation.
Forge or furnace.
Hand tool—any costing over \$10.00.

Harmonic generator or distortion amplifier unit.
Hi-low control temperature cabinet.

Ladder.
Lathe.
Lineman's test set.
Magneto test set.
Meter—any costing over \$10.00.
Milling machine.
Motor, electric (1 or more hp.).
Oil filter press—with associated equipment.
Oil testing set.
Oscillator.
Oscillograph or oscilloscope.
Paint-spray outfit.
Pole-treating installation.
Power planer, drill press, grinder, hammer or saw.
Pump—gasoline or oil.
Pyrometer—portable.
Radio frequency assembly.
Relay test-panel—with or without associated wiring.

Rock crusher and screening plant.
Scales, platform.
Signal-distortion test set.
Signal generator.
Stroboscope.
Synchroscope.
System of pulleys, shafting or belting for transmission of shop power.
Tank—fuel, gasoline, oil, storage or water.
Telephone outfit—portable.
Temperature controlled oven.
Test amplifier unit.
Test table.
Thermistor bridge.
Thermocouple.
Tool rack or tool case.
Tower erection cage.
Transit, surveyor's.
Trenching machine.
Truck or cart.
Vacuum-tube gas detector.
Vacuum-tube tester.
Volume or power-level indicator—portable.
Water purifier or still—not part of water cooling system.
Welding outfit.
White print machine.
Wire-measuring machine.
Work bench or work table.

[F. R. Doc. 51-3604; Filed, Mar. 21, 1951;
8:55 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

I 25 CFR, Part 130 1

BLACKFEET INDIAN IRRIGATION PROJECT, MONTANA

OPERATION AND MAINTENANCE CHARGES

MARCH 16, 1951.

Pursuant to section 4 (a) of the Administrative Procedure Act of June 11, 1946 (Pub. Law 404, 79th Cong., 60 Stat. 238), and authority contained in the Acts of Congress approved August 1, 1914; May 18, 1916; and March 7, 1928 (38 Stat. 583; 39 Stat. 142; 45 Stat. 210; 25 U. S. C. 385, 387), the basic rate of assessment of operation and maintenance charges against the irrigable lands under the Blackfeet Indian Irrigation Project, Montana, for the season of 1951 and until further notice, is hereby fixed at \$1.80 per acre per annum for the delivery of water, on an application basis, of not to exceed 1½ acre-feet per acre during each irrigation season.

Order No. 2535, notice is hereby given of the intent to modify § 130.130 *Basic agreement*, § 130.131 *Excess water assessment*, § 130.132 *Payment*, paragraphs (a), (b) and (c) of Title 25, Code of Federal Regulations, dealing with irrigable lands on the Blackfeet Indian Irrigation Project, to read as follows:

§ 130.130 *Basic assessment*. Pursuant to the Acts of Congress approved August 1, 1914, May 18, 1916 and March 7, 1928 (38 Stat. 583; 39 Stat. 142; 45 Stat. 210; 25 U. S. C. 385, 387), the basic rate of assessment of operation and maintenance charges against the irrigable lands under the Blackfeet Indian Irrigation Project, Montana, for the season of 1951 and until further notice, is hereby fixed at \$1.80 per acre per annum for the delivery of water, on an application basis, of not to exceed 1½ acre-feet per acre during each irrigation season.

§ 130.131 *Excess water assessment*. Additional water may be delivered in excess of 1½ acre-feet per acre per an-

num at the rate of \$1.00 per acre-foot, or fraction thereof.

§ 130.132 *Payment*. The assessments fixed in §§ 130.130 and 130.131 shall be due and payable at the time of the filing of the application for water. Payments must be made to the proper offices at Browning, Montana, before water is delivered.

Section 130.132 (b) and 130.132 (c) are hereby rescinded.

Interested persons are hereby given opportunity to participate in preparing the proposed amendments by submitting their views and data or arguments in writing to the Area Director, Bureau of Indian Affairs, Billings, Mont., within 30 days from the date of publication of this notice of intention in the daily issue of the FEDERAL REGISTER.

PAUL L. FICKINGER,
Area Director.

[F. R. Doc. 51-3618; Filed, Mar. 21, 1951;
8:57 a. m.]

PROPOSED RULE MAKING

FEDERAL TRADE COMMISSION

[16 CFR, Part 82]

[File No. 21-429]

UPHOLSTERY AND DRAPERY FABRICS
INDUSTRYNOTICE OF HEARING AND OF OPPORTUNITY
TO PRESENT VIEWS, SUGGESTIONS, OR
OBJECTIONS

Opportunity is hereby extended by the Federal Trade Commission to any and all persons, partnerships, corporations, organizations, or other parties, including farm, labor and consumer groups, affected by or having an interest in the proposed trade practice rules for the Upholstery and Drapery Fabrics Industry (constituting a proposed revision and extension of the rules for the Upholstery Textile Industry as promulgated November 16, 1932), to present to the Commission their views concerning said revision of rules, including such pertinent

information, suggestions, or objections as they may desire to submit, and to be heard in the premises. For this purpose they may obtain copies of the proposed rules upon request to the Commission. Such views, information, suggestions, or objections may be submitted by letter, memorandum, brief, or other communication, to be filed with the Commission not later than May 2, 1951.

The opportunity to be heard orally will be afforded to any such persons, partnerships, corporations, organizations, or other parties, who desire to appear and be heard at the following times and places:

Hearing beginning at 10:00 a. m., April 11, 1951, in the Hotel Biltmore, Madison Avenue at Forty-third Street, New York City; and

Hearing beginning at 10:00 a. m., May 2, 1951, in Room 332, Federal Trade Commission Building, Pennsylvania

Avenue at Sixth Street NW, Washington, D. C.

After due consideration of all matters presented in writing or orally, the Commission will proceed to final action on the proposed revision of rules.

The industry for which these rules are proposed is comprised of those persons, firms, corporations and organizations engaged in the production (including the dyeing and finishing or refinishing of goods of foreign origin), sale or distribution of upholstery and drapery fabrics composed of various materials and combinations thereof, including, but not limited to, wool, cotton, silk, and artificial fibers.

Issued: March 19, 1951.

By the Commission.

[SEAL]

D. C. DANIEL,
Secretary.

[F. R. Doc. 51-3529; Filed, Mar. 21, 1951;
8:45 a. m.]

NOTICES

DEPARTMENT OF LABOR

Wage and Hour Division

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938, as amended (52 Stat. 1068, as amended; 29 U. S. C. and Sup. 214), and Part 522 of the regulations issued thereunder (29 CFR Part 522), special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rates applicable under section 6 of the act have been issued to the firms listed below. The employment of learners under these certificates is limited to the terms and conditions therein contained and is subject to the provisions of Part 522. The effective and expiration dates, occupations, wage rates, number or proportion of learners, and learning period for certificates issued under the general learner regulations (§§ 522.1 to 522.14) are as indicated below; conditions provided in certificates issued under special industry regulations are as established in those regulations.

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear and Other Odd Outerwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry Learner Regulations (29 CFR 522.160 to 522.166, as amended September 25, 1950; 15 F. R. 5701; 6326).

Alby Sportswear Co., 414 Pine Street, Scranton, Pa., effective 3-8-51 to 3-7-52; 10 percent normal labor turnover (dresses and blouses).

Atlanta Knitting Mills, Inc., Main Street, Catskill, N. Y., effective 3-13-51 to 3-12-52; 10 percent normal labor turnover (ladies' undergarments).

Bernco, Fifth and Walnut Streets, Mount Carmel, Pa., effective 3-7-51 to 3-6-52; for normal labor turnover, 10 percent or 10

learners, whichever is greater (women's blouses and dresses).

Blain Associates, Blain, Perry County, Pa., effective 3-7-51 to 3-6-52; five learners normal labor turnover (women's woven rayon underwear).

Blue Bell Dress Co., Inc., 33 East Northampton Street, Wilkes Barre, Pa., effective 3-9-51 to 3-8-52; for normal labor turnover, 10 learners except for work on ladies' suits, cloaks, and separate skirts (ladies' apparel).

Briarcliff Mills, 84 Prior Street, NW, Atlanta, Ga., effective 3-9-51 to 3-8-52; for normal labor turnover, five learners to be employed on ladies' woven cotton underwear only.

The Butler Shirt Co., 165 Brugh Avenue, Butler, Pa., effective 3-14-51 to 9-13-51; five learners for expansion purposes (Army flannel shirts).

The Butler Shirt Co., 165 Brugh Avenue, Butler, Pa., effective 3-14-51 to 3-13-52; 10 percent normal labor turnover (Army flannel shirts).

Chaffee Manufacturing Co., Inc., Chaffee, Mo., effective 3-12-51 to 3-11-52; 10 percent normal labor turnover (men's dress trousers).

D & D Sewing Co., 1360 North George Street, York, Pa., effective 3-8-51 to 3-7-52; 10 learners normal labor turnover (children's cotton outerwear).

D & D Sewing Co., 1360 North George Street, York, Pa., effective 3-8-51 to 9-7-51; five learners for expansion purposes only. (children's cotton outerwear).

Embassy Manufacturing Co., 1021 Washington Avenue, St. Louis, Mo., effective 3-9-51 to 3-8-52; for normal labor turnover, 10 percent or 10 learners, whichever is greater (men's single dress pants).

Farwest Garments, Inc., 419 First Avenue South, Seattle, Wash., effective 3-7-51 to 3-6-52; 10 learners normal labor turnover (men's and boys' jackets).

Leslie Fay Fashions, Inc., 110 Downing Street, Plymouth, Pa., effective 3-12-51 to 3-11-52; for normal labor turnover, 10 percent or 10 learners, whichever is greater (ladies' rayon and cotton dresses).

Fay Sportswear Co., 349 High Street, Burlington, N. J., effective 3-12-51 to 3-11-52; 5 learners normal labor turnover (ladies' and children's sportswear).

General Knitwear Corporation, 1356 Locust Street, Terre Haute, Ind., effective 3-14-51 to 3-13-52; five learners normal labor turnover (cotton knitted and woven polo shirts, all from purchased cloth).

Gibson City Garment Co., Gibson City, Ill., effective 3-8-51 to 3-7-52; five learners normal labor turnover (women's sportswear and loungewear).

Glen Lyon Garments, Inc., 212 East Main Street, Glen Lyon, Pa., effective 3-7-51 to 3-6-52; 10 learners normal labor turnover (ladies' dresses).

Glen of Michigan, Inc., 77 Hancock Street, Manistee, Mich., effective 3-10-51 to 9-9-51; eight additional learners for expansion purposes only (women's, misses' and juniors' dresses and blouses, sportswear and outerwear; juniors' and children's sportswear).

Glove Pants Manufacturing Co., 300 Plymouth Avenue, Fall River, Mass., effective 3-8-51 to 3-7-52; five learners normal labor turnover (men's and boys' single pants).

Gort Girls' Frocks, Inc., 75 Stark Street NE, Wilkes Barre, Pa., effective 3-8-51 to 3-7-52; 10 percent normal labor turnover (children's dresses).

Hazleton-McAfee Sportswear Co., 315 West Twentieth Street, Hazleton, Pa., effective 4-1-51 to 3-31-52; 10 percent normal labor turnover (ladies' and children's sportswear). Holiday Wear Incorporated, Ridgeland, S. C., effective 3-12-51 to 9-11-51; 105 learners for expansion purposes (children's sportswear).

Kabro of Houston, 520 Preston, Houston, Tex., effective 3-9-51 to 3-8-52; for normal labor turnover, 10 learners, except for work on ladies' suits, cloaks and separate skirts (ladies' dresses and blouses).

Kahn Manufacturing Co., Inc., Royal and St. Louis Streets, Mobile, Ala., effective 4-1-51 to 3-31-52; 10 percent normal labor turnover (men's and boys' trousers).

Kenney Dress Co., 802 Main Street, Dickson City, Pa., effective 3-8-51 to 3-7-52; 8 learners normal labor turnover (children's dresses).

W. Kotkes & Son, Inc., Lynchburg, Va., effective 3-9-51 to 3-8-52; 10 percent normal labor turnover (nurses and maid's uniforms).

Lakeland Manufacturing Co., Sheboygan, Wis., effective 4-1-51 to 3-31-52; 10 percent normal labor turnover (snow suits; cotton jackets; wool and leather jackets).

Lechmere Sportswear Manufacturing Co., 169 Bridge Street, Cambridge, Mass., effective 3-8-51 to 3-7-52; 10 learners normal labor turnover (ski wear and ladies' sportswear).

Leslie Fashions, Inc., 132 Maffett Street, Plains, Pa., effective 3-8-51 to 3-7-52; for normal labor turnover, 10 percent or 10 learners, whichever is greater (ladies' rayon and cotton dresses).

Linsk of Philadelphia, Clayton, N. J., effective 3-13-51 to 3-12-52; 10 percent normal labor turnover (junior-miss dresses).

Linsk of Philadelphia, McKee City, N. J., effective 3-13-51 to 3-12-52; 10 percent normal labor turnover (junior-miss dresses).

Linsk of Philadelphia, Penns Grove, N. J., effective 3-13-51 to 3-12-52; 10 percent normal labor turnover (junior-miss dresses).

Linsk of Philadelphia, Westville, N. J., effective 3-13-51 to 3-12-52; 10 percent normal labor turnover (junior-miss dresses).

Linsk of Philadelphia, Woodbury, N. J., effective 3-13-51 to 3-12-52; 10 percent normal labor turnover (junior-miss dresses).

Main Manufacturing Co., Inc., 1421 Wallace St., Philadelphia, Pa., effective 3-7-51 to 3-6-52; for normal labor turnover, 10 percent or 10 learners, whichever is greater (children's cotton dresses).

Maryland Pants Contractors, 322 West Baltimore Street, Baltimore, Md., effective 3-8-51 to 3-7-52; five learners normal labor turnover (men's pants).

McNeer Dillon Co., Statesville, N. C., effective 3-8-51 to 3-7-52; 10 percent normal labor turnover (shirts).

McNeer Dillon Co., Statesville, N. C., effective 3-8-51 to 9-7-51; 10 additional learners for expansion purposes (shirts).

Myco Manufacturing Co., Inc., Wilburton, Pa., effective 3-12-51 to 3-11-52; 10 learners normal labor turnover (ladies' housecoats).

Olan Dress Corp., 808 Chestnut Street, Kulpmont, Pa., effective 3-7-51 to 3-6-52; 10 learners normal labor turnover (ladies' dresses).

J. Olsner & Co., 445 North Ninth Street, Clinton, Ind., effective 3-15-51 to 3-14-52; 10 learners normal labor turnover (boys' single pants and shirts).

The Par-Ex Shirt Co., 20 Wooster Street, New Haven, Conn., effective 3-7-51 to 3-6-52; 10 percent or 10 learners, whichever is greater, for normal labor turnover (men's shirts).

Peerless Shirt & Overall Manufacturing Co., 253 South Main Street, Wilkes-Barre, Pa., effective 3-9-51 to 9-8-51; 10 additional learners for expansion purposes only (dungarees, pants, longies).

Philcraft Sportswear Co., 1024 Filbert Street, Philadelphia, Pa., effective 3-14-51 to 3-13-52; five learners normal labor turnover (ladies' sportswear).

Quaker City Uniform Co., Inc., 418 Cherry Street, Philadelphia, Pa., effective 3-8-51 to 3-7-52; 10 learners normal labor turnover (men's trousers, uniforms).

Rose Marie, Inc., Hillsboro, Tex., effective 3-13-51 to 3-12-52; five learners normal labor turnover (women's sportswear).

Jules Segal & Co., 350 North Sixteenth Street, Philadelphia, Pa., effective 3-8-51 to 3-7-52; 10 percent normal labor turnover (field jackets).

Shamokin Manufacturing Co., Inc., 100 North Rock Street, Shamokin, Pa., effective 3-8-51 to 3-7-52; 10 percent normal labor turnover (women's cotton and rayon dresses and blouses).

Sheila Coats, Inc., 221-223 East Fourth Street, St. Paul, Minn., effective 3-9-51 to 3-8-52; five learners normal labor turnover (men's sport jackets; children's stormcoats).

Southern Manufacturing Co., Plant No. 1, 833 Fifth Avenue North, Nashville, Tenn., effective 3-8-51 to 3-7-52; 10 percent normal labor turnover (men's and boys' work shirts).

I. Spiewak & Sons, Inc., 346 Bergen Avenue, Jersey City, N. J., effective 3-14-51 to 3-13-52; for normal labor turnover, 10 percent or

10 learners, whichever is greater (men's and boys' outerwear jackets).

Sylvania Sportswear Co., 1766 Main Street (Rear), Northampton, Pa., effective 4-1-51 to 3-31-52; for normal labor turnover, 10 percent or 10 learners, whichever is greater (men's and boys' sport shirts).

I. Taitel & Son, 12 South Prettyman Street, Knox, Ind., effective 3-12-51 to 3-11-52; 10 percent normal labor turnover (men's work pants).

Tatamy Shirt Mill, Tatamy, Pa., effective 3-9-51 to 3-8-52, for normal labor turnover, 10 percent or 10 learners, whichever is greater (ladies' blouses).

Terre Co., Terre Hill, Pa., effective 3-7-51 to 3-6-52; 10 learners normal labor turnover (boys' sport shirts).

Tex Manufacturing Co., Inc., 222 West Overland Street, El Paso, Tex., effective 3-12-51 to 3-11-52; five learners normal labor turnover (men's and boys' denim and khaki work pants).

United Pants Co., Inc., Plymouth Branch, 222-228 Beade Street, Plymouth, Pa., effective 4-1-51 to 3-31-52; 10 percent normal labor turnover (pants).

United Pants Co., Inc., Shoemaker Street, Swyerville, Pa., effective 4-1-51 to 3-31-52; 10 percent normal labor turnover (pants and jackets).

The Warner Bros. Co., Malone, N. Y., effective 3-8-51 to 3-7-52; 10 percent normal labor turnover (corsets and brassieres).

The Warner Bros. Co., Malone, N. Y., effective 3-8-51 to 9-7-51; 29 additional learners for expansion purposes only (corsets and brassieres).

Wayne Garment Co., Main and Center Streets, Forest City, Pa., effective 3-9-51 to 9-8-51; 10 learners for expansion purposes (children's snow suits and jackets).

E. Weinhel & Bro. Co., 1319 North Third Street, Milwaukee, Wis., effective 3-12-51 to 3-11-52; 7 percent normal labor turnover (men's and boys' dress trousers and jackets).

Whitehaven Dress Co., Inc., Main Street, White Haven, Pa., effective 3-15-51 to 3-14-52; 10 learners normal labor turnover (ladies' better dresses).

York Maid Dress Co., 131 North George Street, York, Pa., effective 4-1-51 to 3-31-52; 10 percent normal labor turnover (children's cotton and rayon dresses).

Glove Industry Learner Regulations (29 CFR 522.220 to 522.231, as amended October 26, 1950; 15 F. R. 6888).

The Boss Manufacturing Co., 811 West Fourth Street, Grand Island, Nebr., effective 3-10-51 to 9-9-51; 10 learners for expansion purposes.

Marso & Rodenborn Manufacturing Co., 700 First Avenue, North, Fort Dodge, Iowa, effective 3-6-51 to 7-7-51; five learners for normal labor turnover (supplemental certificate).

Morris Manufacturing Co., Dyersburg, Tenn., effective 3-6-51 to 9-5-51; 40 learners for expansion purposes only.

Hosiery Industry Learner Regulations (29 CFR 522.40 to 522.51, as revised January 25, 1950; 15 F. R. 283).

Bear Brand Hosiery Co., Fayetteville, Ark., effective 3-7-51 to 11-6-51; 55 additional learners for expansion purposes.

Bear Brand Hosiery Co., Siloam Springs, Ark., effective 3-7-51 to 11-6-51; 55 additional learners for expansion purposes.

Blackstone Hosiery Mills, Inc., Thomasville, N. C., effective 3-7-51 to 3-6-52; 5 percent normal labor turnover.

James Hosiery Mills, Inc., Greenville, Tenn., effective 3-7-51 to 11-6-51; 16 additional learners for expansion purposes.

Piedmont Knitting Co., Inc., Gordonsville, Va., effective 3-9-51 to 11-8-51; 10 additional learners for expansion purposes.

Union Manufacturing Co., Union Point, Ga., effective 3-21-51 to 3-20-52; 5 percent normal labor turnover.

Knitted Wear Industry Learner Regulations (29 CFR 522.69 to 522.79, as amended January 25, 1950; 15 F. R. 398).

J. Freezer & Son, Inc., Redford, Va., effective 3-12-51 to 9-11-51; 50 learners for expansion purposes, to be employed on men's shorts only.

Puerto Rico. The following special learner certificates were issued in Puerto Rico to the companies hereinafter named. The effective and expiring dates, the number of learners, the learner occupations, the length of the learning period and the learner wage rates are indicated, respectively.

Puerto Rico Fabrics, Inc., Naguabo, P. R., effective 2-26-51 to 11-23-51. Total of 25 learners—12 knitters, 6 loopers, and 3 machine fixers; wage rates for each occupation: First 174 hours at 25 cents an hour, second 174 hours at 30 cents an hour, and third 174 hours at 35 cents an hour; 4 examiners, menders, and transferers, wage rates first 80 hours at 25 cents an hour, second 80 hours at 30 cents an hour, and third 80 hours at 35 cents an hour (infants' hosiery).

Manati Pearl Works, Inc., Manati, P. R., effective 3-2-51 to 9-1-51. Total of 25 learners in occupation of cutting; 640 hours; 75 percent of the minimum hourly rate applicable by Wage Order of the Administrator (pearl buttons).

Shoe Industry Learner Regulations (29 CFR 522.250 to 522.260; 15 F. R. 6546).

Maine Shoes, Spring Street Extended, Auburn, Maine, effective 3-5-51 to 12-31-51; 10 percent normal labor turnover.

Regulations Applicable to the Employment of Learners (29 CFR 522.1 to 522.14).

Art Neckwear Co., Sixth and Columbia Avenue, Philadelphia, Pa., effective 3-8-51 to 3-7-52; five learners normal labor turnover (neckwear, mufflers, etc.).

Clifton Manufacturing Co., Waco, Tex., effective 3-12-51 to 9-11-51; five learners normal labor turnover (automobile seat covers).

Fit Rite Sports Headwear, 313 North Capitol, Indianapolis, Ind., effective 3-8-51 to 3-7-52; five learners normal labor turnover; machine operators (except cutting), 240 hours; 65 cents per hour (men's and boys' dress caps and cloth hats).

Flower Products Co., Inc., Chicago, Ill., effective 3-13-51 to 9-12-51; five learners normal labor turnover; flower maker, including only the operations of slipping-up, heading, tying, pasting, rose-making, branching and stemming; 160 hours; 60 cents per hour (artificial flowers, leaves, etc.).

Greenwood Embroidery & Trimming Co., Inc., Greenwood, S. C., effective 3-12-51 to 3-11-52; five learners normal labor turnover; machine operators (except cutters), 320 hours; 60 cents per hour (embroidery and trimming for dresses, etc.).

M & G Clothes, Inc., Northeast corner Twenty-second and Market Streets, Philadelphia, Pa., effective 3-8-51 to 3-7-52; 7 percent normal labor turnover; machine operating (except cutting), pressers, and handsewers; each 480 hours; at least 60 cents per hour for first 240 hours and not less than 65 cents per hour for remaining 240 hours (men's and boys' clothing).

Pacific Embroidery Co., 2472-74 Frankford Avenue, Philadelphia, Pa., effective 3-8-51 to 3-7-52; two learners normal labor turnover; machine operators (except cutting), 320 hours; 60 cents per hour (embroideries).

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Paperlynen Co., Columbus, Ohio, effective 3-10-51 to 9-9-51; five learners normal labor turnover; folding, 160 hours; 60 cents per hour (paper hats).

Reed Coat Front Pad Corp., 1421 Wallace St., Philadelphia, Pa., effective 3-8-51 to 3-7-52; two learners normal labor turnover; machine operating (except cutting), 480 hours; at least 60 cents per hour for first 240 hours and not less than 65 cents per hour for remaining 240 hours (canvas coat fronts).

Wolverine Hat & Cap Mfg. Co., Inc., Reform, Ala., effective 3-9-51 to 3-8-52; 10 percent normal labor turnover; machine operators (except cutters), pressers, and hand-sewers, each 240 hours; 65 cents per hour (caps).

Each certificate has been issued upon the employer's representation that employment of learners at subminimum rates is necessary in order to prevent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available. The certificates may be canceled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the *FEDERAL REGISTER* pursuant to the provisions of Part 522.

Signed at Washington, D. C., this 14th day of March 1951.

ISABEL FERGUSON,
Authorized representative
of the Administrator.

[F. R. Doc. 51-3567; Filed, Mar. 21, 1951;
8:45 a. m.]

of the 1950 CCC Grain Price Support Bulletin 1 (15 F. R. 3147).

	Maturity date	Final date for repayment
Grain sorghums.....	Mar. 31, 1951	Mar. 31, 1951
Kobe lespedeza seed.....	do.....	Do.....
Wheat.....	Apr. 30, 1951	Apr. 30, 1951
Oats.....	do.....	Do.....
Barley.....	do.....	Do.....
Rye.....	do.....	Do.....
Flaxseed (except in Texas, California, and Arizona).....	do.....	Do.....
Dry edible beans.....	do.....	Do.....
Rice.....	do.....	Do.....
Hay, pasture, and range grass seed (except buffalo grass).....	do.....	Do.....
Soybeans.....	May 31, 1951	May 31, 1951
Corn.....	July 31, 1951	July 31, 1951
Buffalo grass seed.....	Sept. 30, 1951	Oct. 1, 1951

(Sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. Sup., 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 101, 301, 401, 63 Stat. 1051; 15 U. S. C. Sup., 714c, 7 U. S. C. Sup. 1441, 1447, 1421.)

Done at Washington, D. C., this 19th day of March 1951.

[SEAL] ELMER F. KRUSE,
Vice President,
Commodity Credit Corporation.

Approved:

ELMER F. KRUSE,
Acting President,
Commodity Credit Corporation.

[F. R. Doc. 51-3617; Filed, Mar. 21, 1951;
8:57 a. m.]

CIVIL AERONAUTICS BOARD

[Public Notice PN-1, Amdt. 1]

AMENDMENTS TO ORGANIZATION STRUCTURE

The Civil Aeronautics Board hereby amends Public Notice PN-1, dated July 1, 1950, in order to conform with the current organization structure, as follows:

1. Section 2.1 (b) is amended to read as follows:

(b) The Chairman of the Board is responsible for the executive and administrative functions of the Board, including functions with respect to the appointment and supervision of personnel employed under the Board; the distribution of business among such persons and among administrative units of the Board; and the use and expenditure of funds. The Executive Director, acting on behalf of the Chairman, directs the development of operational plans, schedules the flow of work, and coordinates the activities of the several bureaus and offices in order to achieve an effective and economical organization.

2. Section 4 is repealed in its entirety and superseded by the following:

BUREAU OF AIR OPERATIONS

SEC. 4.1 *Director.* The Director of the Bureau of Air Operations is directly responsible to the Board for interpretation of economic data and advice involving policy, and to the Chairman for advice regarding procedure to be followed in the economic regulation of domestic, overseas, and international air transporta-

tion. In the Bureau of Air Operations there are the following organizational units:

- (a) Accounting and Statistics Division.
- (b) Foreign Air Division.
- (c) Carrier Relationships Division.
- (d) Rates Division.
- (e) Routes Division.
- (f) Alaska Office.

SEC. 4.2 *Accounting and Statistics Division.* The Accounting and Statistics Division initiates and administers an operational, financial, and accounting reporting program. This includes the receipt and analysis of periodic reports of financial and operating statistics and the preparation of regular and special reports based upon such data; the administration of, and recommendation of changes in, the uniform system of accounts and the uniform system of periodic reports of financial and operating statistics; the issuance of letters of interpretation of such systems; and the auditing of accounts of certificated air carriers. The Accounting and Statistics Division also prepares analysis of economic problems in air transportation currently requiring Board action; prepares exhibits for use in formal proceedings before the Board and provides expert testimony concerning such exhibits; analyzes exhibits prepared by parties to formal proceedings; and prepares, as directed, comprehensive surveys and studies relating to the development and regulation of air transportation.

SEC. 4.3 *Foreign Air Division.* The Foreign Air Division advises the Director, Bureau of Air Operations, on the formulation of positions to be taken by the United States on international civil aviation matters involving economic foreign policy; serves as liaison between the Board and the Department of State; provides representation, when so designated, in connection with international conferences and bilateral or multilateral relations with foreign countries. In the discharge of these duties the Foreign Air Division analyzes economic data bearing on the problems to be dealt with.

SEC. 4.4 *Carrier Relationships Division.* The Carrier Relationships Division is concerned with economic and legal aspects of air transportation regarding the consolidation, merger, acquisition of control, interlocking directorates, and contracts between carriers and other persons affecting air transportation. The Carrier Relationships Division prepares for consideration of, and adoption by, the Board statements of policy and of program objectives and makes recommendations or, where authority has been delegated, takes action to dispose of cases pending before the Board.

SEC. 4.5 *Rates Division.* The Rates Division is responsible for all economic and legal aspects of matters relating to regulation of mail rates and subsidy payments pursuant to section 406 of the Act, regulation of commercial rates pursuant to sections 403, 404, and 1002 of

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration and Commodity Credit Corporation

WAREHOUSE-STORAGE LOANS MADE UNDER 1950 PRICE SUPPORT PROGRAMS

NOTICE OF FINAL DATE OF REDEMPTION OF GRAINS AND RELATED COMMODITIES

Unless earlier demand is made by CCC, warehouse-storage loans under 1950 Price Support Programs on the agricultural commodities designated in the table below mature and are due and payable on the dates indicated. Unless such loans are repaid on or before the final date for repayment specified below, or the producer notifies in writing either the PMA county committee or the PMA commodity office serving the area that the funds have been placed in the mail, CCC will purchase the commodities pursuant to the provisions of the note and loan agreement at the higher of (1) the loan value plus interest and charges or (2) the market value as determined by the appropriate PMA commodity office as of the close of the market on the final date for repayment. In the event such market value is in excess of the loan value plus interest and charges, the excess amount will be paid to the producer by the appropriate PMA commodity office. The locations of the PMA commodity offices and the area served by each of such offices are set out in § 601.21

the act and the commercial rate aspects of IATA resolutions. With respect to these matters, the Rates Division prepares for consideration of, and adoption by the Board statements of policy and of program objectives and recommends or takes action where authority has been delegated with respect to specific cases pending before the Board.

SEC. 4.6 Routes Division. The Routes Division is responsible for all economic and legal aspects relating to the authorization of routes and other services required to meet the objectives of the Act, whether by certificate of public convenience and necessity, foreign air carrier permit or exemption order, and the route patterns and carriers to provide such services. The Routes Division develops for consideration by the Board statements of policy and program objectives, and recommends or takes action, where authority has been delegated, with respect to the specific cases concerned with routes and related services pending before the Board.

SEC. 4.7 Alaska Office. The Director of the Alaska Office, under the general supervision of the Director, Bureau of Air Operations, is responsible for the receipt and investigation of all matters pertaining to the regulation of air transportation in Alaska; the conduct of proceedings incident thereto; the preparation of recommendations and reports to the Board respecting the regulation of Alaskan Air Carriers and enforcement thereof; the audit and inspection of records, memoranda, accounts and property of Alaskan Air Carriers; and otherwise serving as the Board's representative in Alaska.

3. Section 10.2 is amended to read as follows:

SEC. 10.2 Accounting and Statistics Division. An office of the Accounting and Statistics Division of the Bureau of Air Operations is maintained at 2 Park Avenue, New York, New York.

Effective: February 19, 1951.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 51-3599; Filed, Mar. 21, 1951;
8:53 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 9822]

TROPICAL RADIO TELEGRAPH CO. AND
WESTERN UNION TELEGRAPH CO.

ORDER SCHEDULING CONSOLIDATED HEARING

In the matter of Tropical Radio Telegraph Company, complainant, vs. The Western Union Telegraph Company, defendant, Docket No. 9822.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 14th day of March 1951;

The Commission having under consideration a complaint filed on October 20, 1950, by Tropical Radio Telegraph Company against The Western Union Tele-

graph Company as defendant, alleging that said defendant, since January 1, 1946, has applied and continues to apply to marine telegraph traffic interchanged with complainant a schedule of "Landline Charges on Marine Traffic" ("Schedule") which is unreasonably and unjustly discriminatory against complainant and in favor of other marine telegraph carriers in violation of the provisions of section 222 (e) of the Communications Act of 1934, as amended, and of Appendix 2, section 7 of the "Formula, Pursuant to Section 222 (e) (1) of the Communications Act, for the Distribution of Outbound International Traffic Handled by The Western Union Telegraph Company following Merger with Postal Telegraph, Inc." ("Formula"); that complainant has sustained "serious financial damages" as a result of the application of the above "Schedule" to such traffic; and requesting that the Commission (a) order The Western Union Telegraph Company to cease and desist from the collection of the landline or pickup charges for marine traffic (ship-shore and shore-ship) which The Western Union Telegraph Company now demands, (b) prescribe under the provisions of the "Formula" (section 7 of Appendix 2) a formula for the division of landline and pickup charges for marine telegraph traffic which will be just, reasonable, equitable and in the public interest, and (c) order The Western Union Telegraph Company to make restitution to Tropical Radio Telegraph Company for the latter's loss caused since January 1, 1946, by the "discriminatory and anomalous division of landline and pickup charges" complained of; and also having under consideration the answer to the above complaint filed on November 30, 1950, by the defendant herein in which it alleges on information and belief that the Commission has under consideration a general investigation into the current revenue requirements of the various marine radiotelegraph carriers, and submits that the question of the division of the charges between The Western Union Telegraph Company and the marine carriers may more appropriately be considered in connection with such investigation; and requests that the complaint of Tropical Radio Telegraph Company be dismissed; and having also under consideration the opposition to defendant's answer filed by the complainant on December 11, 1950, in which complainant states that it does not object if the Commission should see fit to include a determination of a just and reasonable formula for the future division of landline and pickup charges for marine telegraph traffic as one of the issues of a general investigation into marine radiotelegraph communications, but that it does object to having the other requests set forth in the complaint considered in such general investigation;

The Commission also having under consideration its order dated 1951, In the Matter of Charges, Practices, Classifications and Regulations for and in connection with Marine Radiotelegraph Services, Docket No. 9915;

It appearing, that from an examination of the above complaint, answer and opposition, issues are present which

should be determined upon the basis of a public hearing;

It further appearing, that the determination of just and reasonable divisions of charges for marine telegraph traffic handled jointly by The Western Union Telegraph Company and the various marine radiotelegraph carriers, including the complainant herein, is one of the issues included in the general investigation into marine telegraph services and rates which the Commission has instituted by its above order in Docket No. 9915, and that much of the evidence to be adduced therein with respect to such issue will be relevant and material to a determination of the issues involved herein;

It is ordered, That pursuant to the provisions of sections 208 and 222 of the Communications Act of 1934, as amended, a public hearing on the issues presented by the pleadings herein be held at the offices of the Commission in Washington, D. C. on the 11th day of June 1951;

It is further ordered, That the hearing herein shall be consolidated with the hearing In the Matter of Charges, Practices, Classifications and Regulations for and in connection with Marine Radiotelegraph Services, Docket No. 9915.

It is further ordered, That Leo Resnick is assigned to preside at such hearings; and that the presiding officer shall certify the record to the Commission for decision without preparing either a recommended or initial decision herein.

It is further ordered, That copies of this order shall be served upon the complainant and the defendant herein.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 51-3607; Filed, Mar. 21, 1951;
8:55 a. m.]

[Docket No. 9915]

CHARGES FOR AND IN CONNECTION WITH
MARINE TELEGRAPH SERVICES

ORDER INSTITUTING INVESTIGATION AND
SCHEDULING HEARING

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 14th day of March 1951;

The Commission, having under consideration:

(a) Informal requests from Globe Wireless Ltd., (filed on July 17, 1948, and October 26, 1949), Mackay Radio and Telegraph Company, Inc., (filed on July 17, 1948, and October 7, 1949), Radiomarine Corporation of America (filed on August 11, 1950), and Tropical Radio Telegraph Company (filed on July 20, 1948, and October 10, 1949), that the Commission, on its own motion, enter into an investigation with respect to the earnings and rates of all carriers operating in the public marine radiotelegraph service which are under its jurisdiction;

NOTICES

(b) Earnings reports pertaining to marine radiotelegraph traffic handled by the above-named carriers;

(c) The tariffs filed by the various marine radiotelegraph carriers subject to the Commission's jurisdiction and The Western Union Telegraph Company (Western Union), which contain rates, regulations and other provisions with respect to marine telegraph service;

(d) The contracts and arrangements between Western Union and the operators of marine coast stations engaged in providing marine radiotelegraph service with respect to the divisions of tolls for the domestic handling of marine telegraph traffic;

(e) Appendix 2 to the "Formula, pursuant to section 222(e) (1) of the Communications Act, for the Distribution of Outbound International Traffic handled by The Western Union Telegraph Company following Merger with Postal Telegraph, Inc." (Formula);

(f) The contracts between the marine carriers named in subparagraph (a) above and various ship operators providing for the maintenance and operation of radiotelegraph stations aboard ship as well as for the division of the ship station message tolls;

It appearing, that the net earnings of such marine carriers attributable to marine radiotelegraph service have declined, and that various carriers may be operating such service at a loss;

It further appearing, that a question is presented as to whether the aforementioned contracts and arrangements between Western Union and the various marine carriers comply with the provisions of Appendix 2 to the aforementioned Formula requiring Western Union to furnish "uniform and nondiscriminatory" services to marine carriers;

It is ordered, That pursuant to sections 201, 202, 205, 222, and 403 of the Communications Act of 1934, as amended, an investigation is instituted on the Commission's own motion into the earnings and the rates and charges, division of charges, and the related practices, classifications, regulations, and services of all carriers subject to the jurisdiction of this Commission, for and in connection with public marine telegraph service between points in the United States (including its territories and possessions) and mobile stations on ships at sea or in the air, and between such mobile stations through coast stations located in the United States (including its territories and possessions), except the level of charges for the service rendered by mobile stations;

It is further ordered, That the following marine carriers are made parties respondent in this proceeding: Globe Wireless Ltd.; Mackay Radio and Telegraph Company, Inc.; Radiomarine Corporation of America; RCA Communications, Inc.; Tropical Radio Telegraph Company; M. D. Strickland, and E. W. Stephens, d/b/a Caribbean Radio; Central Radio Telegraph Company; City of Baltimore, Maryland; Clara Lee Wood, d/b/a Gulf Radio Service; J. L. Dezauche, Jr., and R. A. Gartman, d/b/a Mobile Marine Radio; E. M. Tellefson, d/b/a Mackinac Radio Service; Olympic Radio Company; Clair C. Fetterly, d/b/a

Seattle Harbor Radio; and South Porto Rico Sugar Company; that Western Union is also made a party respondent in the proceeding; and that a copy of this order shall be served upon each of the above-named carriers;

It is further ordered, That, without limiting the scope of the investigation herein, it shall include inquiry into the following matters:

(a) The lawfulness under sections 201 and 202 of the Communications Act of 1934, as amended, of the charges of the respondent marine carriers for and in connection with all classes of public marine telegraph service;

(b) The areas served by each of the coast stations of the respondent marine carriers;

(c) The volume of marine radiotelegraph traffic originated and terminated at each of the coast stations operated by each of the respondent marine carriers and the volume of such traffic exchanged with Western Union; the revenues derived therefrom; the relationship between such traffic volumes and the costs of handling thereof; and whether, and to what extent, each of the coast stations operated by each of respondent marine carriers can profitably handle any additional traffic;

(d) The gross and net earnings of each of the respondent marine carriers from marine radiotelegraph service furnished by such carriers through their respective coast stations, including the current level of these earnings, the trends thereof (past, present and anticipated in the future), and the factors presently affecting such earnings;

(e) The operating expenses which each of the respondent marine carriers claim should be deducted from gross operating revenues in order to arrive at net operating income to be considered in a determination of charges to the users for the marine radiotelegraph services furnished by said carriers, the trends of such expenses, and the reasonableness of such expenses;

(f) The amount of the gross and net book cost of plant and equipment, and the working capital requirement, of each of the respondent marine carriers properly applicable to the rendition of marine radiotelegraph service;

(g) The amount of return which is fair and reasonable for each of the respondent marine carriers; whether it is necessary, or appropriate, under the Communications Act that charges for marine radiotelegraph services should be determined or prescribed on the basis of revenue requirements of the marine carrier or carriers having the highest level of net earnings from such services, or on some other basis, and if so, on what basis;

(h) The extent to which, if any, the revenues accruing to the respondent marine carriers from services performed in the maintenance and operation of ship stations and from ship station tolls should be included in the communication revenues of such respondents and the effect thereof on the earnings of such carriers;

(i) The extent to which, if any, the expenses attributable to the maintenance and operation of ship stations should be

included in the allowable operating revenue deductions for or in connection with marine communications services of the respondent marine carriers and the effect thereof on the earnings of such carriers;

(j) Whether the Commission should authorize or prescribe any changes in the charges applicable to the coast station handling of marine radiotelegraph traffic; and if so, the nature of such changes;

(k) The lawfulness under sections 201, 202 and 222 (e) (1) of the Communications Act and under the aforementioned Appendix 2 to the Formula, of the charges for the landline handling of marine telegraph traffic;

(l) The volume of marine telegraph traffic handled by Western Union between each coast station and points in the United States, the revenues resulting therefrom and the need, if any, to change the charges applicable thereto;

(m) The lawfulness under sections 201, 202 and 222 (e) (1) of the Communications Act and under the aforementioned Appendix 2 of the Formula of the present arrangements for the division of tolls under which marine telegraph traffic is exchanged between Western Union and the other respondent carriers;

(n) Whether the Commission should authorize or prescribe any changes in the division agreements between Western Union and the respondent marine carriers, and if so, the nature of such changes, and the effect thereof upon the respective revenues of Western Union and such marine carriers;

(o) Whether the Commission should authorize or prescribe any changes in the composition of the zones or in the rates applicable to the landline handling of marine telegraph traffic within the United States, and if so, the nature of such changes and the effects thereof on the volume of traffic and on the revenues of the marine carriers and Western Union;

It is further ordered, That hearings shall be held in this proceeding in the offices of the Commission at Washington, D. C., to begin at 10:00 o'clock on the 11th day of June 1951, that Leo Resnick is assigned to preside at such hearings; and that the Presiding Officer shall certify the record to the Commission for decision without preparing either a recommended or initial decision herein.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 51-3608; Filed, Mar. 21, 1951;
8:56 a. m.]

[Docket No. 9917]

MENDOCINO COAST BROADCASTERS AND
STATION KDAC

ORDER DESIGNATING APPLICATION FOR
HEARING ON STATED ISSUES

In re application of Tony R. Amante, John A. Brush, Edward Mertle and Mathew Thompson, d/b as Mendocino Coast Broadcasters, permittee of Station KDAC, Fort Bragg, California,

File No. BL-3190, Docket No. 9917; for license to cover construction permit.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 14th day of March 1951;

The Commission having under consideration the above-entitled application for license to cover construction permit for Station KDAC, Fort Bragg, California; and

It appearing, that upon the basis of the above application and other information presently before the Commission that the Commission is not satisfied that it is in possession of full information as is required by the Communications Act of 1934, as amended, and more particularly section 309 (a) thereof;

It is ordered, That pursuant to section 309 (a) of the Communications Act of 1934, as amended, the above-entitled application be designated for hearing at Fort Bragg, California, on May 7, 1951, upon the following issues:

1. To obtain full information with respect to the affairs of the licensee partnership and more particularly:

(a) To determine the method and sources of financing of the construction and operation of Station KDAC from the grant of initial construction permit therefor to date and whether such method and sources of financing constituted a departure from the representations made with respect thereto in the application (BP-6233) for construction permit for Station KDAC.

(b) To obtain full information relating to the resignation from the licensee partnership, on or about August 27, 1948, of partner John A. Brush.

(c) To obtain full information relating to the events and circumstances surrounding the alleged exclusion from the licensee partnership of partner Mathew S. Thompson.

(d) To obtain full information relating to the resignation from the licensee partnership, on or about September 29, 1949, of partner Tony R. Amarante.

2. To determine in whom, since the grant of initial construction permit for Station KDAC, the authority over its operation and control has resided and in whom such authority presently resides.

3. To determine whether all contracts, agreements, and understandings relating to the ownership, management, and control of the licensee, Mendocino Coast Broadcasters, have been reported to the Commission in accordance with §§ 1.341, 1.342, and 1.343 of the Commission's rules and regulations.

4. To determine whether the construction permit for Station KDAC, or the rights and responsibilities incident thereto, have been transferred or assigned, directly or indirectly, in contravention of section 319 (b) of the Communications Act and whether, in the event of such unauthorized assignment or transfer, the station has been operated by an unlicensed person or persons in violation of section 301 of the Communications Act of 1934, as amended.

5. To determine whether, in the light of the evidence adduced under the fore-

going issues, a grant of the above application would be in the public interest.

FEDERAL COMMUNICATIONS COMMISSION.
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 51-3606; Filed, Mar. 21, 1951;
8:55 a. m.]

[Docket No. 9918]

STATION KTXC

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In the matter of renewal of license of Station KTXC, Big Spring, Texas, Docket No. 9918, File No. BR-2332.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 14th day of March 1951;

The Commission having under consideration the above application for renewal of license of Station KTXC, together with a letter and enclosures to the Commission, dated November 16, 1950, from Leonard R. Lyon, the former individual licensee of Station KTXC and presently Secretary, Treasurer and a one-third stockholder in Big State Broadcasting Corporation, licensee of Station KTXC, Big Spring, Texas, which letter states:

Copy to FCC and Mr. J. W. Wallace Radio Station KBST, Big Spring, Texas

LEONARD R. LYON
Box 744, Chickasha, Okla.

NOVEMBER 16, 1950.

Mr. T. J. SLOWIE, Secretary,
Federal Communications Commission,
Washington 25, D. C.

DEAR MR. SLOWIE: Please find enclosed two contracts pertaining (sic) to Radio Station KTXC, Big Spring, Texas 1400 kc unlimited. Also pertaining (sic) to Leonard R. Lyon, V. T. Anderson and E. W. Anderson.

While the enclosed contracts were not lived up to fully, they have been held over my hand for too long.

The original application for the station BP-6971 was filed by me in all sincerity (sic) and in good faith; however, Contract 1 was signed by me to prevent a second application for the same facilities by the Andersons and to prevent the loss of everything due to their political pull.

On signing the first contract I lost all voice in the proposed station, but had no choice other than to carry out orders. Many more discrepancies (sic) will be found in the books.

Even though this will cost me several thousand dollars, I will consider it worthwhile if I may be given the opportunity to at least partially clear myself in an open hearing.

Dated this 16th day of November 1950.

(S) LEONARD R. LYON.

Subscribed and sworn to (sic) before me this 16th day of November 1950.

(S) MYRTLE DILLINGHAM,
Notary Public.

My commission expires June 1, 1951.

It appearing, that, on May 5, 1949, the Commission granted a construction permit (BP-6971) to Leonard R. Lyon for the construction and operation of Station KTXC and, on February 8, 1950,

granted its consent to the assignment of license (BAL-945) of Station KTXC from Leonard R. Lyon to Big State Broadcasting Corporation in which corporation Lyon held a one-third stock interest, E. W. and V. T. Anderson, each, a 25-5/6 percent stock interest and Clyde E. and George T. Thomas, each, a 7 1/2 percent stock interest; and

It further appearing, that, on the basis of the above letter and enclosures from Lyon, serious questions of concealments from and misrepresentations to the Commission by Lyon exist, and that therefore the Commission is at this time unable to conclude that a grant of the above application for renewal of license for Station KTXC would be in the public interest, convenience and necessity;

It further appearing, that the Commission made available to Big State Broadcasting Corporation, for comment, the aforesaid letter and enclosures of November 16, 1950, from Lyon and that, by letter of February 19, 1951, to the Commission, the aforesaid Andersons generally denied all allegations of Lyon, but were completely unresponsive insofar as the contracts of April and July, 1949 were concerned;

It is ordered, That the application for renewal of license of Station KTXC be designated for hearing, pursuant to section 309 (a) of the Communications Act, to be held at Big Spring, Texas, on May 14, 1951, on the following issues:

1. To obtain full information as to all contracts, agreements, or understandings past or present between Leonard R. Lyon and E. W. and V. T. Anderson, Clyde E. and George T. Thomas, collectively or individually, relating to a sale, assignment, or transfer of Lyon's interest in the physical properties of Station KTXC and the construction permit or license therefor with particular reference to the following:

a. A certain agreement dated April, 1949 between Leonard R. Lyon and E. W. and V. T. Anderson, by virtue of which those individuals entered into a limited partnership for the purpose of "building and operating a 100 watt broadcast radio station in Big Spring, Texas, for which station Leonard R. Lyon now has pending an application before the Federal Communications Commission in Washington, D. C., File No. BP-6971 * * *."

b. A certain agreement dated July, 1949 by virtue of which Lyon agreed to assign to E. W. and V. T. Anderson, each, an undivided 1/3 interest in the construction permit for Station KTXC, Big Spring, Texas, and which provided, among other things, that in the event KTXC should begin broadcasting prior to the approval by the Commission of the transfer to the Andersons, the Andersons should "have the controlling voice in the operation of such station in the same manner as if they owned the respective interests which he (Lyon) agrees to convey to them * * *."

c. The payment, loan, or advance of funds by E. W. and V. T. Anderson, Clyde E. and George T. Thomas, or other persons, collectively or individually, to Leonard R. Lyon, pursuant to the agreements referred to in (a) and (b) above,

NOTICES

HOUSING AND HOME FINANCE AGENCY

Office of the Administrator

SPECIAL REPRESENTATIVES OF HOUSING AND HOME FINANCE ADMINISTRATOR

DELEGATION OF AUTHORITY TO PERFORM FUNCTIONS IN CONNECTION WITH RELAXATION OF HOUSING CREDIT CONTROLS IN AREAS AFFECTED BY SAVANNAH RIVER (S. C. AND GA.) AND PADUCAH (KY.) INSTALLATIONS OF ATOMIC ENERGY COMMISSION

Paul E. Ferrero, Jr. (Savannah River office, Aiken, S. C.) and Joseph Tufts (Paducah, Ky.), Special Representatives of the Housing and Home Finance Administrator, Office of the Administrator, Housing and Home Finance Agency each is hereby authorized, in his respective assigned area, to take any action (including the making of any determination and the approval of any application) which it is necessary or appropriate for the Housing and Home Finance Administrator to take in the administration of Housing and Home Finance Agency Regulation CR 2, effective March 10, 1951, 16 F. R. 2232, which regulation pertains to the processing and approval, for the areas affected by the Savannah River (S. C. and Ga.) and Paducah (Ky.) installations of the Atomic Energy Commission, of exceptions from residential credit restrictions otherwise applicable and to the terms and conditions attached to such approval.

Any action taken by either of the aforementioned delegates in this connection is hereby ratified, confirmed and adopted.

(Reorg. Plan No. 3 of 1947, 61 Stat. 954 (1947); 62 Stat. 1268, 1283-85 (1948), 12 U. S. C. 1701c (Supp. 1949), as amended, Pub. Law 475, 81st Cong., 2d Sess., sec. 503 (1) (Apr. 20, 1950); Titles VI and VII, Pub. Law 774, 81st Cong., 64 Stat. 812-822; secs. 501, 502 and 902, E. O. 10161, Sept. 9, 1950, 15 F. R. 6106; sec. 6 (p), Reg. X, as amended, 15 F. R. 6817, 7831 (1950), 16 F. R. 308, 1586, 2078 (1951); HHFA CR 1, Mar. 6, 1951, 16 F. R. 2231; HHFA CR 2, Mar. 10, 1951, 16 F. R. 2232)

Effective as of the 10th day of March, 1951.

B. T. FITZPATRICK,
Acting Housing and
Home Finance Administrator.

[F. R. Doc. 51-3619; Filed, Mar. 21, 1951;
8:58 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 25924]

SAND AND GRAVEL FROM LA GRANGE, MO.,
TO COLCHESTER, ILL.

APPLICATION FOR RELIEF

MARCH 19, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. G. Raasch, Agent, for the Chicago, Burlington & Quincy Railroad Company.

Commodities involved: Sand and gravel, carloads.

From: La Grange, Mo.
To: Colchester, Ill.

Grounds for relief: Competition with motor carriers and wayside pit competition.

Schedules filed containing proposed rates: CB & Q RR. tariff I. C. C. No. 20095, 33d revised page 32.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 51-3586; Filed, Mar. 21, 1951;
8:49 a. m.]

[4th Sec. Application 25925]

GRAIN FROM PRESTON, MD., TO THE SOUTH

APPLICATION FOR RELIEF

MARCH 19, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: C. W. Boin, Agent, for carriers parties to his tariff I. C. C. No. A-879.

Commodities involved: Grain and grain products, in carloads and less-than-carloads.

From: Preston, Md.
To: Points in southern territory.
Grounds for relief: Competition with rail carriers.

Schedules filed containing proposed rates: C. W. Boin's tariff I. C. C. No. A-879, Supp. 16.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the ex-

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 51-3605; Filed, Mar. 21, 1951;
8:55 a. m.]

piration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 51-3587; Filed, Mar. 21, 1951;
8:50 a. m.]

[4th Sec. Application 25926]

**LUMBER FROM MICHIGAN, MINNESOTA, AND
WISCONSIN TO THE SOUTH**

APPLICATION FOR RELIEF

MARCH 19, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: L. E. Kipp, Agent, for carriers parties to his tariff I. C. C. No. A-3879.

Commodities involved: Lumber and related articles, carloads.

From: Points in Michigan, Minnesota and Wisconsin.

To: Points in southern territory.

Grounds for relief: Competition with rail carriers and to maintain grouping.

Schedules filed containing proposed rates: L. E. Kipp's tariff I. C. C. No. A-3879.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 51-3588; Filed, Mar. 21, 1951;
8:50 a. m.]

[4th Sec. Application 25927]

**CORN FROM ILLINOIS TO NEW ORLEANS,
LA., AND MOBILE, ALA.**

APPLICATION FOR RELIEF

MARCH 19, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: Chicago & Illinois Midland Railway Company and Gulf, Mobile and

Ohio Railroad Company for carriers parties to C&IM Ry. tariff I. C. C. No. B-335 and GM&O RR. tariff I. C. C. No. 222.

Commodities involved: Corn, in car-loads.

From: Peoria and Pekin, Ill., and ad-jacent points in Illinois.

To: New Orleans, La., and Mobile, Ala., for export.

Grounds for relief: Competition with rail and water carriers.

Schedules filed containing proposed rates: C&IM Ry. tariff I. C. C. No. B-335, Supp. 2. GM&O RR. tariff I. C. C. No. 222, Supp. 4.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commis-sion in writing so to do within 15 days from the date of this notice. As pro-vided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly dis-close their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investi-gate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of tem-porary relief is found to be necessary before the expiration of the 15-day pe-riod, a hearing, upon a request filed within that period, may be held subse-quently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 51-3589; Filed, Mar. 21, 1951;
8:51 a. m.]

[4th Sec. Application 25928]

**AUTOMOBILE PARTS FROM CINCINNATI,
OHIO, TO ST. LOUIS, MO.**

APPLICATION FOR RELIEF

MARCH 19, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: L. C. Schuldt, Agent, for carriers parties to his tariff I. C. C. No. 4237, pursuant to fourth-section order No. 9800.

Commodities involved: Automobile en-gine driving gear or steering gear parts, also transmissions and parts, carloads.

From: Cincinnati, Ohio.

To: St. Louis, Mo.

Grounds for relief: Circuitous routes.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investi-gate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

in such application without further or formal hearing. If because of an emer-gency a grant of temporary relief is found to be necessary before the expira-tion of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 51-3590; Filed, Mar. 21, 1951;
8:51 a. m.]

[4th Sec. Application 25929]

**AUTOMOBILE PARTS FROM CINCINNATI,
OHIO, TO LOUISVILLE, KY.**

APPLICATION FOR RELIEF

MARCH 19, 1951.

The Commission is in receipt of the above-entitled and numbered applica-tion for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: L. C. Schuldt, Agent, for carriers parties to his tariff I. C. C. No. 4234, pursuant to fourth-section order No. 9800.

Commodities involved: Automobile engine driving gear or steering gear parts, also transmissions and parts, carloads.

From: Cincinnati, Ohio.

To: Louisville, Ky.

Grounds for relief: Circuitous routes.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investi-gate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 51-3591; Filed, Mar. 21, 1951;
8:51 a. m.]

[4th Sec. Application 25930]

**ROOFING AND SHINGLES FROM CHICAGO
TO BIRMINGHAM**

APPLICATION FOR RELIEF

MARCH 19, 1951.

The Commission is in receipt of the above-entitled and numbered applica-tion for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: D. Q. Marsh, Agent, for carriers parties to Agent R. G. Raasch's

NOTICES

tariff I. C. C. No. 620, pursuant to fourth-section order No. 16101.

Commodities involved: Roofing, prepared or composition, asphalt shingles and siding, and joints, carloads.

From: Chicago, Ill., and points grouped therewith

To: Birmingham, Ala., and points grouped therewith.

Grounds for relief: Circuitous routes.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 51-3592; Filed, Mar. 21, 1951;
8:51 a. m.]

porary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 51-3593; Filed, Mar. 21, 1951;
8:51 a. m.]

[4th Sec. Application 25932]

CANNED GOODS BETWEEN BORDER TERRITORY AND WASHINGTON, D. C.

APPLICATION FOR RELIEF

MARCH 19, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for carriers parties to Agent C. W. Boin's tariff I. C. C. No. A-726.

Commodities involved: Canned or preserved foodstuffs, in carloads.

Between: Ivy City Team Track, Union Market Yard, Washington, D. C., and Rosslyn, Va., on the one hand, and points in North Carolina, southern Virginia, Kentucky and northeastern Tennessee, on the other.

Grounds for relief: Competition with rail carriers, circuitous routes, to maintain grouping, and to apply over short tariff routes rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: C. W. Boin's tariff I. C. C. No. A-726, Supp. 223.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing.

If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

MARCH 19, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for The Alabama Great Southern Railroad Company and other carriers named in the application.

Commodities involved: Cement and related articles, carloads.

From: Birmingham, Ala., and points grouped therewith.

To: Nashville, Tenn.

Grounds for relief: Circuitous routes.

Schedules filed containing proposed rates: C. A. Spaninger's tariff I. C. C. No. 1066, Supp. 56.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of tem-

for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for carriers parties to Agent C. A. Spaninger's tariff I. C. C. No. 1201.

Commodities involved: Boxes, fibreboard, pulpboard or strawboard, carloads.

From: Conover, N. C.

To: Points in official territory.

Grounds for relief: Circuitous routes and to apply over short tariff routes rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: C. A. Spaninger's tariff I. C. C. No. 1201, Supp. 28.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 51-3595; Filed, Mar. 21, 1951;
8:53 a. m.]

[S. O. 874, General Permit 5]

WABASH RAILROAD CO. AND CENTRAL SOYA CO., INC.

LOADING REQUIREMENTS

MARCH 15, 1951.

Pursuant to the authority vested in me in paragraph (d) of Service Order No. 874 (16 F. R. 2040), permission is granted the Wabash Railroad Company at Gibson City, Illinois, serving Central Soya Company, Inc., to disregard the provisions of Service Order No. 874 insofar as it applies to any car loaded by the Central Soya Company, Inc., when the Central Soya Company, Inc., advise that (1) such car is loaded with bulk mixed feed, or with mixed feed in sacks together with bulk mixed feed, and that the total weight of such shipments shall be or exceed 60,000 pounds; (2) that all such shipments are destined to the De-Kalb Agricultural Association, Iliopolis, Illinois, because of inability to unload.

The waybills shall show reference to this general permit and the Central Soya Company, Inc., shall furnish the Permit Agent dates forwarded, the car numbers, and initials of the cars shipped under this permit.

This general permit shall become effective at 12:01 a. m., March 16, 1951, and shall expire at 11:59 p. m., Septem-

[4th Sec. Application 25933]

PAPER BOXES FROM CONOVER, N. C., TO OFFICIAL TERRITORY

APPLICATION FOR RELIEF

MARCH 19, 1951.

The Commission is in receipt of the above-entitled and numbered application

ber 15, 1951, unless otherwise modified, changed, suspended or revoked.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement, and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 15th day of March 1951.

HOWARD S. KLINE,
Permit Agent.

[F. R. Doc. 51-3596; Filed, Mar. 21, 1951;
8:53 a. m.]

SECURITIES AND EXCHANGE COMMISSION

GALLAGHER AND CO.

ORDER FOR PROCEEDINGS AND NOTICE OF HEARING

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 15th day of March 1951.

In the matter of Gallagher & Company, 17 Court St., Buffalo, New York.

I. The Commission's public official files disclose that Gallagher & Company, a partnership, hereinafter referred to as registrant, is registered as a broker-dealer pursuant to section 15 (b) of the Securities Exchange Act of 1934.

II. The Records Officer of the Commission has filed with the Commission a statement, a copy of which is attached hereto and made a part hereof,¹ stating that registrant did not file with the Commission reports of his financial condition during the calendar years 1943, 1944, 1945, 1946, 1947, 1948, 1949 or 1950 as required by section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A-5 adopted thereunder.

III. The information reported to the Commission by its Records Officer as set forth in paragraph II hereof tends, if true, to show that registrant violated section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A-5 adopted under said section.

IV. The Commission, having considered the aforesaid information, deems it necessary and appropriate in the public interest and for the protection of investors that proceedings be instituted to determine:

- (a) Whether the statements set forth in paragraph II hereof are true;
- (b) Whether registrant has wilfully violated section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A-5 adopted under said section;
- (c) Whether, pursuant to section 15 (b) of the Securities Exchange Act of 1934, it is in the public interest to revoke registration of registrant; and
- (d) Whether, pursuant to section 15 (b) of the Securities Exchange Act of 1934, pending final determination, it is

necessary or appropriate in the public interest or for the protection of investors to suspend the registration of registrant.

V. It is ordered, That registrant be given an opportunity for hearing as set forth in paragraph IV hereof on the 23d day of April 1951 at the main office of the Securities and Exchange Commission, located at 425 Second Street NW, Washington 25, D. C., before a Hearing Examiner to be designated by the Commission. On such date the Hearing Room Clerk in Room 101, North Building, will advise the parties and the Hearing Examiner as to the room in which such hearing will be held. The Commission will consider any motion with respect to a change of place of said hearing if said motion is filed with the Secretary of the Commission on or before April 16, 1951. Upon completion of any such hearing in this matter the Hearing Examiner shall prepare a recommended decision pursuant to Rule IX of the rules of practice unless such decision is waived.

It is further ordered, That in the event registrant does not appear personally or through a representative at the time and place herein set or as otherwise ordered, the Hearing Room Clerk shall file with the Records Officer of the Commission a written statement to that effect and thereupon the Commission will take the record under advisement for decision.

This order and notice shall be served on registrant personally or by registered mail forthwith, and published in the FEDERAL REGISTER not later than fifteen (15) days prior to April 23d, 1951.

In the absence of an appropriate waiver, no officer or employee of the Commission engaged in the performance of investigative or prosecuting functions in this or any factually related proceeding will be permitted to participate or advise in the decision upon the matter except as witness or counsel in proceedings held pursuant to notice. Since this proceeding is not "rule making" within the meaning of section 4 (c) of the Administrative Procedure Act, it is not deemed to be subject to the provisions of the section delaying the effective date of any final Commission action.

By the Commission.

[SEAL]

ORVAL L. DuBois,
Secretary.

[F. R. Doc. 51-3571; Filed, Mar. 21, 1951;
8:46 a. m.]

PAUL KAYE

ORDER FOR PROCEEDINGS AND NOTICE OF HEARING

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 15th of March 1951.

In the matter of Paul Kaye, 60 East Forty-second Street, New York City, N. Y.

I. The Commission's public official files disclose that Paul Kaye, hereinafter referred to as registrant, is registered as a broker-dealer pursuant to section 15

(b) of the Securities Exchange Act of 1934.

II. The Records Officer of the Commission has filed with the Commission a statement, a copy of which is attached hereto and made a part hereof,¹ stating that registrant did not file with the Commission reports of his financial condition during the calendar years 1946, 1947, 1948, 1949 or 1950 as required by section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A-5 adopted thereunder.

III. The information reported to the Commission by its Records Officer as set forth in paragraph II hereof tends, if true, to show that registrant violated section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A-5 adopted under said section.

IV. The Commission, having considered the aforesaid information, deems it necessary and appropriate in the public interest and for the protection of investors that proceedings be instituted to determine:

(a) Whether the statements set forth in paragraph II hereof are true;

(b) Whether registrant has wilfully violated section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A-5 adopted under said section;

(c) Whether, pursuant to section 15 (b) of the Securities Exchange Act of 1934, it is in the public interest to revoke registration of registrant; and

(d) Whether, pursuant to section 15 (b) of the Securities Exchange Act of 1934, pending final determination, it is necessary or appropriate in the public interest or for the protection of investors to suspend the registration of registrant.

V. It is ordered, That registrant be given an opportunity for hearing as set forth in paragraph IV hereof on the 23d day of April 1951, at the main office of the Securities and Exchange Commission, located at 425 Second Street NW, Washington 25, D. C., before a Hearing Examiner to be designated by the Commission. On such date the Hearing Room Clerk in Room 101, North Building, will advise the parties and the Hearing Examiner as to the room in which such hearing will be held. The Commission will consider any motion with respect to a change of place of said hearing if said motion is filed with the Secretary of the Commission on or before April 16, 1951. Upon completion of any such hearing in this matter the Hearing Examiner shall prepare a recommended decision pursuant to Rule IX of the Rules of Practice unless such decision is waived.

It is further ordered, That in the event registrant does not appear personally or through a representative at the time and place herein set or as otherwise ordered, the Hearing Room Clerk shall file with the Records Officer of the Commission a written statement to that effect and thereupon the Commission will take the record under advisement for decision.

This order and notice shall be served on registrant personally or by registered mail forthwith, and published in the FEDERAL REGISTER not later than fifteen (15) days prior to April 23d, 1951.

In the absence of an appropriate waiver, no officer or employee of the

¹ Filed as part of the original document.

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Commission engaged in the performance of investigative or prosecuting functions in this or any factually related proceeding will be permitted to participate or advise in the decision upon the matter except as witness or counsel in proceedings held pursuant to notice. Since this proceeding is not "rule making" within the meaning of section 4 (c) of the Administrative Procedure Act, it is not deemed to be subject to the provisions of the section delaying the effective date of any final Commission action.

By the Commission.

[SEAL] ORVAL L. DUBois,
Secretary.

[F. R. Doc. 51-3572; Filed, Mar. 21, 1951;
8:47 a. m.]

D. W. HAMPTON

ORDER FOR PROCEEDINGS AND NOTICE OF
HEARING

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 15th day of March 1951.

In the matter of D. W. Hampton, 524 W. 8th Street, Oklahoma City, Oklahoma.

I. The Commission's public official files disclose that D. W. Hampton, herein-after referred to as registrant, is registered as a broker-dealer pursuant to section 15 (b) of the Securities Exchange Act of 1934.

II. The Records Officer of the Commission has filed with the Commission a statement, a copy of which is attached hereto and made a part hereof,¹ stating that registrant did not file with the Commission reports of his financial condition during the calendar years 1949 and 1950, as required by section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A-5 adopted thereunder.

III. The information reported to the Commission by its Records Officer as set forth in paragraph II hereof tends, if true, to show that registrant violated section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A-5 adopted under said section.

IV. The Commission, having considered the aforesaid information, deems it necessary and appropriate in the public interest and for the protection of investors that proceedings be instituted to determine:

(a) Whether the statements set forth in paragraph II hereof are true;

(b) Whether registrant has wilfully violated section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A-5 adopted under said section;

(c) Whether, pursuant to section 15 (b) of the Securities Exchange Act of 1934, it is in the public interest to revoke registration of registrant; and

(d) Whether, pursuant to section 15 (b) of the Securities Exchange Act of 1934, pending final determination, it is necessary or appropriate in the public interest or for the protection of investors to suspend the registration of registrant.

V. It is ordered, That registrant be given an opportunity for hearing as set forth in paragraph IV hereof on the 23d day of April 1951 at the main office of the Securities and Exchange Commission, located at 425 Second Street NW, Washington 25, D. C., before a Hearing Examiner to be designated by the Commission. On such date the Hearing Room Clerk in Room 101, North Building, will advise the parties and the Hearing Examiner as to the room in which such hearing will be held. The Commission will consider any motion with respect to a change of place of said hearing if said motion is filed with the Secretary of the Commission on or before April 16, 1951. Upon completion of any such hearing in this matter the Hearing Examiner shall prepare a recommended decision pursuant to Rule IX of the rules of practice unless such decision is waived.

It is further ordered, That in the event registrant does not appear personally or through a representative at the time and place herein set or as otherwise ordered, the Hearing Room Clerk shall file with the Records Officer of the Commission a written statement to that effect and thereupon the Commission will take the record under advisement for decision.

This order and notice shall be served on registrant personally or by registered mail forthwith, and published in the FEDERAL REGISTER not later than fifteen (15) days prior to April 23d, 1951.

In the absence of an appropriate waiver, no officer or employee of the Commission engaged in the performance of investigative or prosecuting functions in this or any factually related proceeding will be permitted to participate or advise in the decision upon the matter except as witness or counsel in proceedings held pursuant to notice. Since this proceeding is not "rule making" within the meaning of section 4 (c) of the Administrative Procedure Act, it is not deemed to be subject to the provisions of the section delaying the effective date of any final Commission action.

By the Commission.

[SEAL] ORVAL L. DUBois,
Secretary.

[F. R. Doc. 51-3573; Filed, Mar. 21, 1951;
8:47 a. m.]

[File No. 43-195]

PUBLIC SERVICE CO. OF COLORADO

ORDER REVOKING CONDITION IMPOSED IN
PREVIOUS ORDER

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 15th day of March A. D., 1951.

On August 24, 1939, the Commission issued its findings, opinion and order in this matter permitting a declaration to become effective regarding the issuance and sale by Public Service Company of Colorado of certain securities. Said order imposed a condition (Numbered (4) in the order) upon declarant that, until further order by this Commission,

all corporate and consolidated balance sheets made public by the declarant should contain appropriate reference to inter-company appreciation charged to declarant's net assets.

Public Service Company of Colorado has now requested the Commission to revoke such condition and in support thereof has stated that an original cost study which was being made when the earlier proceeding was pending has now been completed and that the Public Utilities Commission of Colorado has required that the excess over original cost in the amount of \$19,373,918 be written out of the company's utility plant account. It is also stated that all but \$818,949 of such amount has been so written out and that the balance is being amortized in accordance with the order of the Public Utilities Commission of Colorado. Public Service Company of Colorado further states that its principal subsidiaries have restated or are in the process of restating their utility plant accounts at original cost.

It appearing to the Commission that under the circumstances stated the condition in our order dated August 24, 1939, described above is no longer required in the public interest or the interest of investors or consumers.

It is ordered, That the condition No. (4) in our order herein dated August 24, 1939 be, and hereby is, revoked.

By the Commission.

[SEAL] ORVAL L. DUBois,
Secretary.

[F. R. Doc. 51-3574; Filed, Mar. 21, 1951;
8:47 a. m.]

[File No. 70-2338]

DUQUESNE LIGHT CO.

ORDER EXTENDING TIME

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 15th day of March 1951.

Duquesne Light Company ("Duquesne"), a public utility subsidiary of Philadelphia Company and Standard Gas and Electric Company, both registered holding companies, having filed an application-declaration and a post-effective amendment thereto pursuant to the Public Utility Holding Company Act of 1935 ("act") with respect to numerous proposed transactions designed to enlarge Duquesne's chartered territory so as to permit practical and economical interconnection between Duquesne's new electric generating station now under construction and its present electric transmission and distribution system; and

The Commission having entered its order herein on March 17, 1950, granting and permitting to become effective said application-declaration and providing that the time within which the proposed transactions were to be completed should extend for six months from March 17, 1950; and the Commission, by order dated September 19, 1950, having extended such time until March 19, 1951; and

¹ Filed as part of the original document.

Duquesne having filed post-effective Amendment No. 2 wherein it is stated that certain authorizations necessary under Pennsylvania State law have not been obtained and that therefore certain of the proposed transactions could not be carried out within the prescribed extended period; and

Duquesne having further stated that it believes an additional period of four months will be required to complete all of the proposed transactions and having requested that this Commission extend accordingly the period within which the transactions proposed in the application-declaration shall be carried out; and

It appearing to the Commission in the light of the circumstances set forth that it is appropriate to grant said request for an additional extension of time:

It is ordered, That the period within which the transactions proposed in the aforesaid application-declaration shall be carried out, be, and hereby is, extended to July 19, 1951.

By the Commission.

[SEAL] ORVAL L. DUBoIS,
Secretary.

[F. R. Doc. 51-3576; Filed, Mar. 21, 1951;
8:48 a. m.]

[File No. 70-2365]

AMERICAN GAS AND ELECTRIC CO.

ORDER RELEASING JURISDICTION OVER
COUNSEL FEES

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 15th day of March A. D. 1951.

The Commission by orders dated April 24, 1950, and May 2, 1950, having permitted to become effective a declaration, as amended, filed by American Gas and Electric Company ("American Gas"), a registered holding company, regarding the issuance and sale by American Gas of \$27,000,000 aggregate principal amount of its Serial Notes due 1952 to 1956, inclusive, pursuant to the competitive bidding requirements of Rule U-50; and

Said order of May 2, 1950, having contained a reservation of jurisdiction with respect to the proposed payment of fees of counsel for the company and counsel for the underwriters; and

The record having been completed with respect to said fees in the following amounts:

Simpson, Thacher & Bartlett (counsel for the company) -----	\$15,000
Winthrop, Stimson, Putman & Roberts (counsel for the underwriter) -----	
(fee to be paid by the purchaser) -----	6,500

The Commission, on the basis of its examination of the record, finding that the payment of the fees as set forth above is not unreasonable, and finding it appropriate to release jurisdiction over the payment of such fees:

It is ordered, That jurisdiction heretofore reserved over the fees and expenses of counsel for the company and

counsel for the underwriters be, and the same hereby is, released.

By the Commission.

[SEAL] ORVAL L. DUBoIS,
Secretary.

[F. R. Doc. 51-3577; Filed, Mar. 21, 1951;
8:48 a. m.]

[File No. 70-2585]

MIDDLE SOUTH UTILITIES, INC., AND
ARKANSAS POWER & LIGHT CO.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 16th day of March A. D. 1951.

Middle South Utilities, Inc. ("Middle South"), a registered holding company, and its electric utility subsidiary, Arkansas Power & Light Company ("Arkansas"), having filed an application-declaration and amendment thereto pursuant to the Public Utility Holding Company Act of 1935, particularly sections 6 (b), 7, and 12 (f) thereof, with respect to the following proposed transactions:

Arkansas has outstanding 2,420,000 shares of common stock of the par value of \$12.50 per share, all of which are owned by Middle South. Arkansas proposes to issue and sell to Middle South, and Middle South proposes to acquire from time to time prior to June 1, 1951, an aggregate amount of 640,000 additional shares of the common stock of Arkansas at the par value thereof, or for an aggregate cash consideration of \$8,000,000.

Arkansas proposes to amend its charter as promptly as practicable so as to increase its authorized shares of common stock from 3,000,000 shares to 5,000,000 shares. The adoption of this amendment will enable Arkansas to issue the full amount of shares proposed to be purchased by Middle South and will allow for the issuance of additional common stock subsequently without further authorization from the stockholders.

The funds proposed to be invested by Middle South will be derived from the proceeds of its proposed sale of common stock. The proceeds of the sale of common stock by Arkansas will be used in connection with its construction program.

Said application-declaration having been filed on March 1, 1951, an amendment thereto having been filed on March 13, 1951, notice of said filing having been given in the form and manner required by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for hearing within the time specified in said notice, or otherwise, and the Commission not having ordered a hearing thereon; and

The Commission finding that the proposed issuance and sale of common stock by Arkansas have been specifically approved by the Arkansas Public Service Commission, the State Commission of the State in which Arkansas was organized and is doing business, the Com-

mission further finding that in other respects the proposed transactions are in accordance with the applicable standards of the act, and that no adverse findings need be made thereunder, and the Commission deeming it appropriate to grant said application and permit said declaration to become effective without the imposition of terms and conditions:

It is ordered, That said application-declaration, as amended, be, and the same hereby is, granted and permitted to become effective, forthwith, subject to the terms and conditions contained in Rule-24.

By the Commission.

[SEAL] ORVAL L. DUBoIS,
Secretary.

[F. R. Doc. 51-3578; Filed, Mar. 21, 1951;
8:48 a. m.]

[File No. 70-2586]

KINGSPORT UTILITIES, INC.

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 15th day of March A. D. 1951.

Notice is hereby given that Kingsport Utilities, Incorporated ("Kingsport"), a wholly owned electric utility subsidiary of American Gas and Electric Company, has filed a declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935, and has designated sections 6 (a) and 7 thereof as applicable to the proposed transactions, which are summarized as follows:

Kingsport proposes to establish a line of credit with The Guaranty Trust Company of New York whereby Kingsport may borrow from time to time prior to December 31, 1953, amounts not to exceed in the aggregate \$750,000. Said borrowings will be evidenced by promissory notes dated as of the date of each such borrowing, maturing not more than nine months after the issuance thereof, and bearing interest from the date of issuance at the then current prime credit rate. The initial borrowing is proposed to be made on or about April 1, 1951, in the amount of \$100,000, at the then current prime credit rate, which Kingsport expects will be 2½ percent per annum.

At least ten days before each borrowing subsequent to the initial borrowing, or ten days prior to the proposed renewal of any note outstanding hereunder, Kingsport will file an amendment herein setting forth the amount of such borrowing, or proposed renewal, and the annual interest rate thereon, such amendment to become effective ten days after the filing thereof, if no action is taken by the Commission within such ten-day period.

Proceeds from the proposed borrowing will be used to finance, in part, the construction program of Kingsport which, it is estimated, will require the expenditure of approximately \$1,450,000 during the years 1951 to 1953, inclusive.

Notice is further given that any interested person may, not later than March 28, 1951, at 11:30 a. m., e. s. t.,

NOTICES

request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law raised by said declaration, which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW, Washington 25, D. C. At any time after March 28, 1951, at 11:30 a. m., e. s. t., said declaration as filed, or as amended, may be permitted to become effective as provided by Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rule U-20 (a) and Rule U-100 thereof. All interested persons are referred to said declaration which is on file with the Commission for a statement of the transactions therein proposed.

By the Commission.

[SEAL]

ORVAL L. DUBoIS,
Secretary.

[F. R. Doc. 51-3575; Filed, Mar. 21, 1951;
8:48 a. m.]

mark "Scintilla" and the trademark "Vertex" registered in the United States Patent Office identified as follows:

Reg. No.	Date	Character of goods
132,240.....	6-15-20	Magnets, etc.
307,295.....	10-24-33	Do.

together with

(i) The respective goodwill of the business in the United States and all its possessions to which said trade-marks are appurtenant.

(ii) Any and all indicia of such goodwill (including but not limited to formulae whether secret or not, secret processes, methods of manufacture and procedure, customers lists, labels, machines and other equipment).

(iii) Any interests of any nature whatsoever in and any rights and claims of every character and description to said business, goodwill and trade-marks and registrations thereof, and

(iv) All accrued royalties payable or held with respect to such trade-marks, and all damages and profits recoverable at law or in equity from any person, firm, corporation, or government for past infringement thereof,

is property of, or is property payable or held with respect to trade-marks or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, the aforesaid nationals of a foreign country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States all interests, rights and title of Scintilla A. G. and Robert Bosch G. m. b. H., the aforesaid nationals of a foreign country (Germany) and of all nationals of Germany, in and to the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The term "national" as used herein shall have the meaning prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on February 15, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-3609; Filed, Mar. 21, 1951;
8:56 a. m.]

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Frieda Mangels, also known as Frieda Rechten on or since the effective date of Executive Order 8389, as amended, and on or since December 11, 1941, has been a resident of a designated enemy country (Germany);

2. That Henry Rechten whose last known address is Germany is a resident of Germany and a national of a designated enemy country (Germany);

3. That the property described as follows:

a. That certain debt or other obligation owing to Frieda Mangels, also known as Frieda Rechten, by Fulton Savings Bank of Kings County, 375 Fulton Street, Brooklyn 1, New York, arising out of a savings account, account number 158884, entitled Frieda Mangels, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same, and

b. That certain debt or other obligation of Fulton Savings Bank of Kings County, 375 Fulton Street, Brooklyn 1, New York, arising out of a savings account, account number 161580, entitled "Frieda Mangels in Trust for Annelie Wilkens", maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Frieda Mangels, also known as Frieda Rechten, the aforesaid national of a designated enemy country (Germany);

4. That the property described as follows:

a. That certain debt or other obligation owing to Henry Rechten by the Fulton Savings Bank, Kings County, 375 Fulton Street, Brooklyn 1, New York, arising out of a savings account, account number 135969, entitled "Henry Rechten", maintained at the aforesaid bank and any and all rights to demand, enforce and collect the same, and

b. That certain debt or other obligation owing to Henry Rechten by the Williamsburgh Savings Bank, 1 Hanson Place, Brooklyn, New York, arising out of a savings account entitled Henry Rechten, maintained with the aforesaid bank and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

5. That to the extent that the persons named in subparagraphs 1 and 2 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

[Vesting Order 17533]

FRIEDA MANGELS AND HENRY RECHTEN

In re: Bank accounts owned by Frieda Mangels, also known as Frieda Rechten and Henry Rechten. F-28-13267-E-2; E-3.

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest.

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on March 13, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-3610; Filed, Mar. 21, 1951;
8:56 a. m.]

[Vesting Order 16985, Amdt.]

M. TADEMOTO

In re: Safe Deposit box lease and contents owned by personal representatives, heirs, next of kin, legatees and distributees of M. Tademoto, deceased.

Vesting Order 16985, dated January 8, 1951, is hereby amended as follows and not otherwise:

By deleting subparagraph 2 (b) of the aforesaid Vesting Order 16985 and substituting therefor the following subparagraph 2 (b):

(b) All property of any nature whatsoever in the safe deposit box referred to in subparagraph 2 (a) hereof and any and all rights evidenced or represented thereby including particularly the following: Three (3) City of Tokyo 5 percent loan of 1912 Bonds, said bonds numbered 48541, 48542 and 48544, each of 200

£ Sterling face value, together with any and all rights thereunder and thereto.

All other provisions of said Vesting Order 16985 and all actions taken by or on behalf of the Attorney General of the United States in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on March 13, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-3612; Filed, Mar. 21, 1951;
8:57 a. m.]

[Vesting Order 17535]

HANS WEISS

In re: Debts owing to Hans Weiss,
D-66-2490.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Hans Weiss, who, on or since the effective date of Executive Order 8389, as amended, and on or since December 11, 1941, has been a resident of Germany, is a national of a designated enemy country (Germany);

2. That the property described as follows:

a. That certain debt or other obligation of the Marine Midland Trust Company, 17 Battery Place, New York, New York, arising out of an account, entitled Hans Weiss, maintained by the aforesaid bank, and any and all rights to demand, enforce and collect the same, and

b. That certain debt or other obligation of the Marine Midland Trust Company, 17 Battery Place, New York, New

York, in the amount of \$312.50, as of December 26, 1950, representing a portion of funds on deposit in a blocked account, entitled Estoduras Steamship Co., Inc., maintained by the Marine Midland Trust Company, together with any and all accruals to the aforesaid debt or other obligation, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Hans Weiss, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on March 13, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-3611; Filed, Mar. 21, 1951;
8:56 a. m.]

